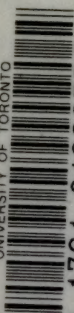


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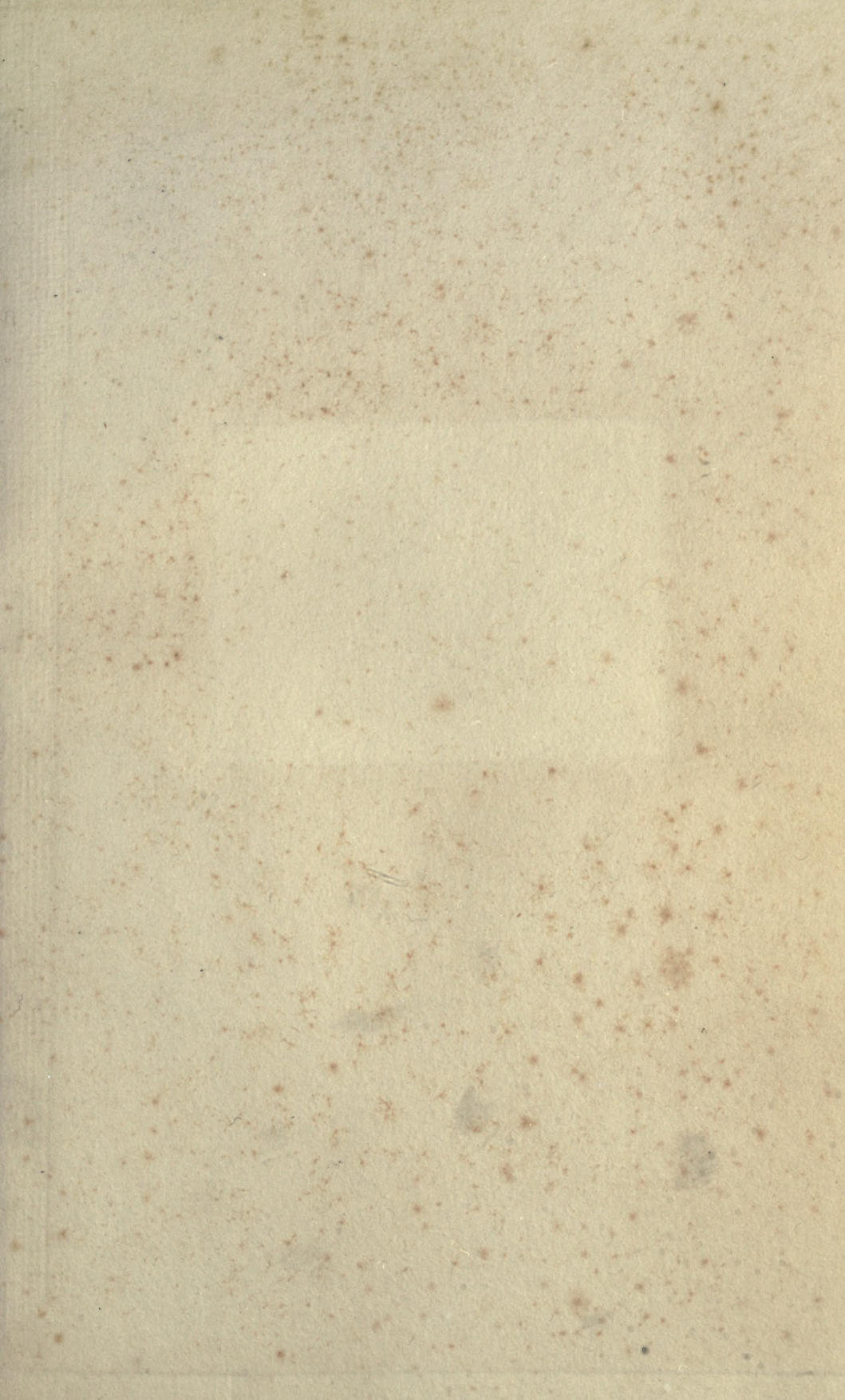


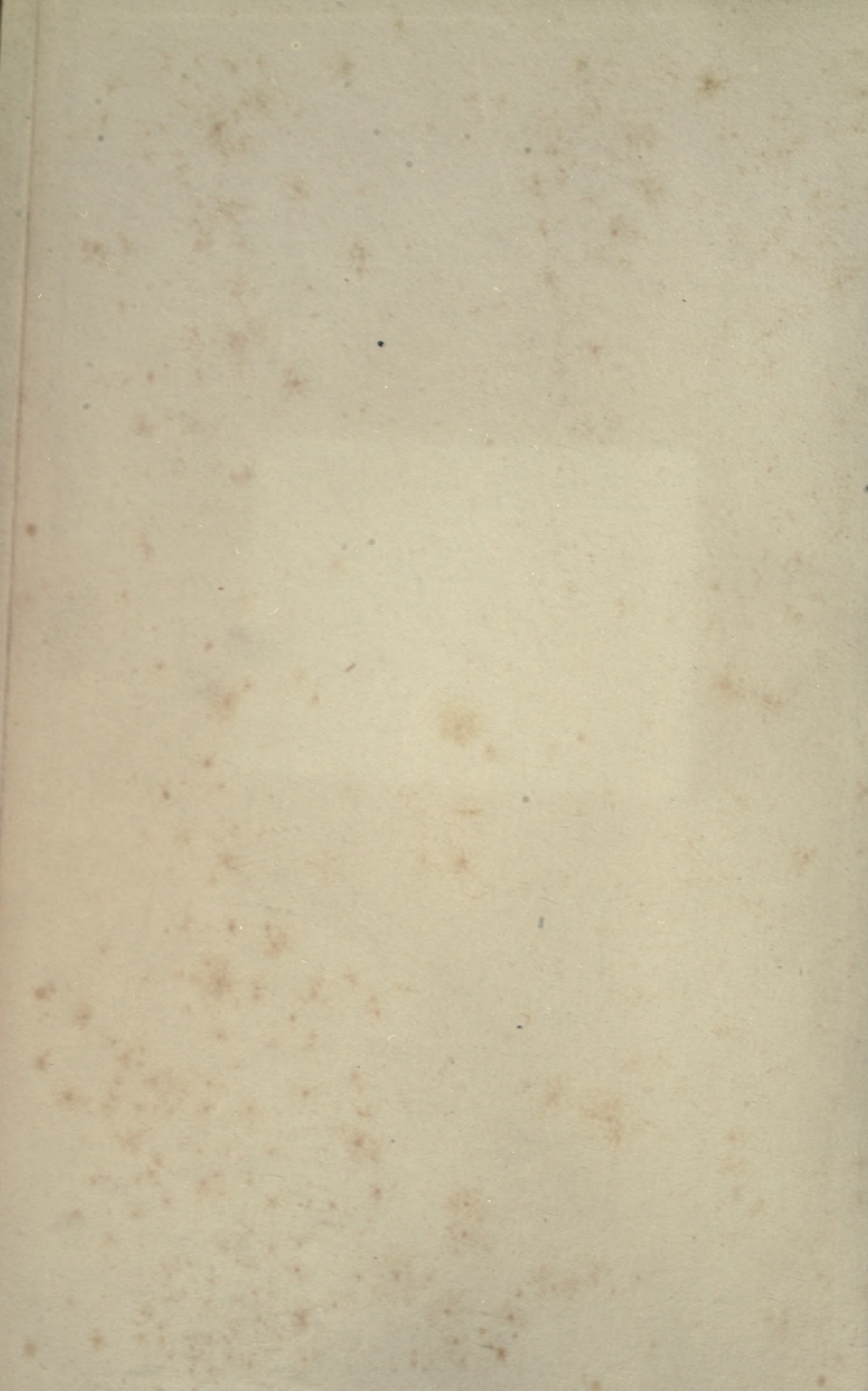
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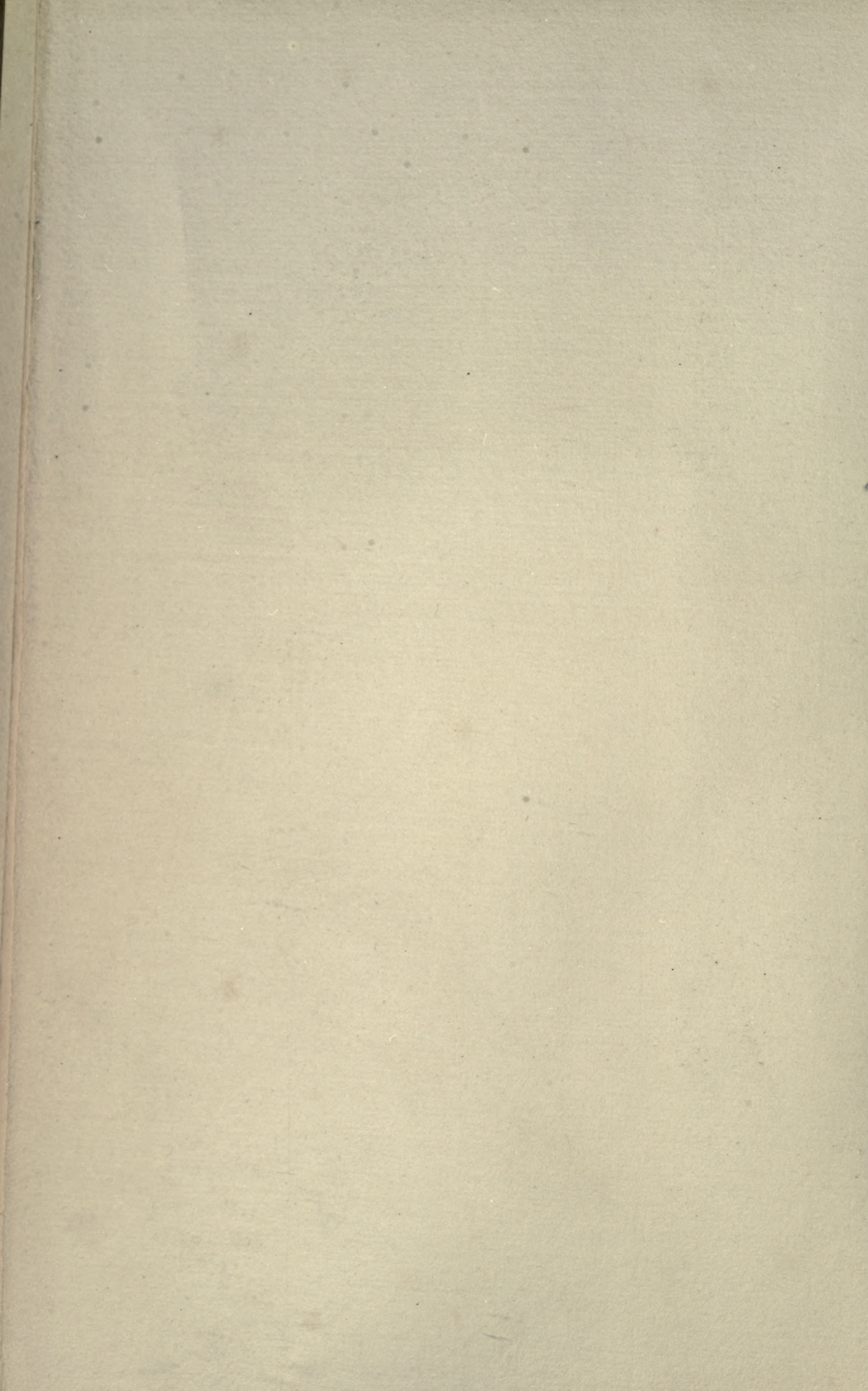
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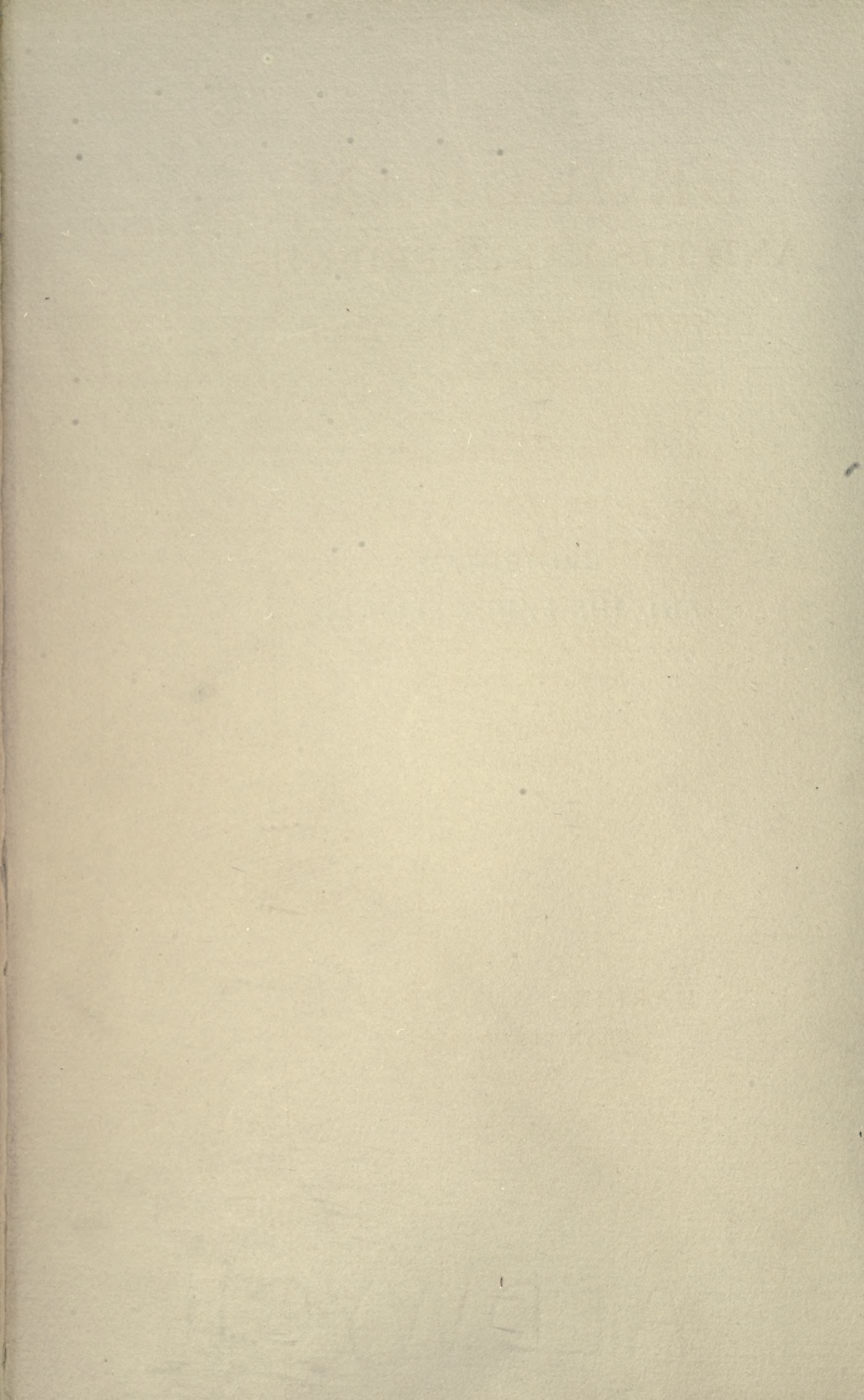
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BROUGHAM
AND HIS EARLY FRIENDS



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BROUGHAM

AND HIS EARLY FRIENDS

LETTERS TO JAMES LOCH
1798-1809

Collected and arranged by
R. H. M. BUDDLE ATKINSON
AND G. A. JACKSON

WITH NOTES AND APPENDICES

IN THREE VOLUMES

VOL. III.
APPENDICES




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CONTENTS

	PAGE
APPENDIX A.	
Henry Peter Brougham,	I
APPENDIX B.	
General Appendix,	185
AFTER-WORD,	341
INDEX TO APPENDIX A.,	343



HENRY PETER BROUGHAM

APPENDIX A

HENRY PETER BROUGHAM, the subject of this sketch, was the eldest son of Henry Brougham of Scales Hall in Cumberland, and of Brougham Hall in Westmorland, by his wife Eleanor, only child of Dr. James Syme, minister of Alloa, and was born September 19, 1778. In the register of births for the City of Edinburgh appears the following entry:—

‘30th September 1778. Henry Brougham, Esq., Parish of St. Giles, and Eleanor Syme, his spouse, a son, born the 19th current, named Henry Peter. Witnesses: Mr. Archibald Hope, Royal Bank, and the Reverend Principal Robertson.’

The education of the future Lord Chancellor was exclusively Scottish. He was first sent to the High School in Edinburgh during the Headmastership of Dr. Adam, and here he distinguished himself both in learning and eccentricity, on the one hand losing no opportunity of acquiring information, and on the other missing no chance of a frolic, especially if thereby he could bring authority into contempt. From here he was, in 1792, sent to the University of Edinburgh, where he attended nearly all the classes, and, with the aid of his marvellous memory and versatility of intellect, gained, if such an expression be allowable, a deep smattering on most

2 HENRY PETER BROUGHAM

subjects; so much so indeed that on January 28, 1796, when he was little more than seventeen years of age, a paper written by him was read before the Royal Society in London and published in their transactions, the title being 'Experiments and Observations of the Inflection, Reflection, and Colours of Light,' followed in the next year by one entitled 'Farther Experiments and Observations on the Applications and Properties of Light.'

In England little notice was taken of either paper, but Professor Prevost of Geneva criticised them in a paper read before the same learned society, and drew attention to the want of precision in the author's methods—that want of precision in thought and speech which was the weak joint in the armour of the young student, even as it was in that of the matured politician in his later days.

On November 21, 1797, Brougham and Francis Horner were admitted as members of the Speculative Society, and this, in all probability, was the first turning-point in his career. His politics hitherto had been, if anything, of a mildly Tory type; but here he was in the company of the most ardent young Whigs of the day—Francis Horner, Francis Jeffrey, Lord Henry Petty (the future Marquis of Lansdowne), and many others; and here, too, he developed those powers as a pugnacious debater which, in the not distant future, were to render his name a household word. His favourite subjects at first were Foreign and Colonial politics, and it was some time before he really interested himself in domestic affairs.

While distinguished in his studies and his debates with the more staid members of the University, he was notorious for the irregularity of his conduct. Sir Thomas Lauder wrote to Campbell, his biographer:—‘Brougham’s companions consisted of two sorts, viz. intellectual men, such as Jeffrey, Cockburn, and Murray; and fellows of dissipation, fun, and frolick, such as Sandie Finlay, Jack Gordon, and Frank Drummond. Perhaps these two sorts of associates might have occasionally blended themselves together. But after having been found discussing literary and philosophical questions with the first set, he was sure soon after to be found rollicking in taverns, ringing bells in the streets, twisting off bell-pulls and knockers, or smashing lamps with the second.’

At the end of his course at the University, Brougham, with the approval of his parents, determined on becoming an advocate, and immediately commenced his studies for this purpose. The seed sown by his association with the Speculative Society was already bearing fruit, and in this collection there is an interesting letter from him to James Loch criticising the political situation in a manner hardly to be expected from one so young, and showing signs of that ability to grasp the essentials of a position which in later days stood him in such good stead. In 1799, having completed his reading, he first went with a party of fellow-students on a cruise round the Hebrides, and then with C. Stuart (later Lord Stuart de Rothesay) visited Norway, Sweden,

4 HENRY PETER BROUGHAM

and Denmark; on his return passing his examinations and being called to the Scotch Bar, June 10, 1800. He joined the Southern Circuit, and on his first appearance at Jedburgh was the only advocate present, with the exception of those appearing to prosecute on behalf of the Crown. To a certain extent he distinguished himself, professionally, by taking all manner of ingenious objections to the indictments; and socially, by being more eccentric than ever. Sir Thomas Dick Lauder informed Campbell concerning this assize:—‘Brougham continued to persecute my poor old relative, Lord Eskgrove, whom he nearly tormented to death; about this time his conduct was so eccentric that he was supposed to have shown a slight tendency to insanity, and his friends were very uneasy about him.’ Of the estimate his friends had formed of his legal abilities these letters furnish most interesting proof.

His ambition now appears to have wavered somewhat between a legal and a literary career. At any rate, in 1801 we find him writing about his ‘great book’ *The Colonial Policy of the European Nations*, of the genesis and development of which so interesting an account is given in these letters, and in which work he foreshadows his future position as a strong opponent of slavery, though his present objection is not so much to the status of the slave as to the economical aspect of the question.

Towards the end of 1801, Sydney Smith, Francis Jeffrey, Francis Horner, John Murray, and other young Whigs determined to publish a new review,

a review soon destined to become the chief review in the kingdom, and still retaining the authority it so early acquired. Brougham, at first, was not consulted, and Sydney Smith, to the last, resisted any invitation to him to join the association from 'a strong impression of Brougham's indiscretion and rashness.' He was, however, overruled, and Brougham eagerly accepted the invitation extended to him, soon to prove how well founded were Sydney Smith's fears and how difficult a colleague he was. To the first number of the *Edinburgh*, which appeared October 10, 1802, Brougham contributed three Articles:—Art. 23, on 'Wood's Optics'; Art. 24, on 'Acubi's Travels'; and Art. 27, on the 'Crisis of the Sugar Colonies.' Of all his contributions to the *Edinburgh*, those which had the most effect were his criticism in 1803 of Dr. Young's *Theory of Light*, which for long caused Young to be regarded as a charlatan, though later to be triumphantly vindicated; and his critique, in January 1808, on Lord Byron's *Hours of Idleness*, to which we owe that biting satire, *English Bards and Scotch Reviewers*. While all his writings now and always showed the strong personal and political bias under which he laboured, many of them exhibit a shrewd power of analytical observation far in advance of his times, and many of his speculations as to the reforms necessary in every branch of administration are now accomplished facts, though he, who accomplished the spade-work, was not to reap the glory. One very clear instance is to be found in the third

6 HENRY PETER BROUGHAM

volume of *Brougham's Contributions to the Edinburgh Review*, in which he criticises the then law of libel, with its iniquitous maxim, 'The greater the truth, the greater the libel.' The article appeared in September 1816 in the form of a review of a new textbook on the law of libel, and in it Brougham laid bare many of the inconsistencies of the English law in this and other cases. Brougham had already introduced a Bill in the House of Commons for the Amendment of the Law of Libel, but it was not until 1843 that the law was altered, and the Act by which this great reform was carried goes by the name of 'Lord Campbell's Act,' though Campbell gives Brougham credit for the assistance he gave in the debates in the House of Lords.

In 1803 Brougham, disgusted with the prospect before him as an advocate, determined to follow the example so many of his friends had set him, and to join the English Bar. On November 14 of that year his name was entered at Lincoln's Inn as a student, though a further two years elapsed before he finally left Edinburgh to take up his abode in London.

In the autumn of 1804, prior to leaving Edinburgh, Brougham spent some months on the Continent—a short account of which tour, with his impressions of the people and scenery, is to be found amongst his letters in this collection, while in his *Memoirs* he gives an extended description from his Journal kept at the time.

Shortly after his return from the Continent

Brougham settled down in London, and, while waiting to be called to the Bar, was busily employed in writing articles for the *Edinburgh Review*, assiduously studying politics and cultivating the acquaintance of leading Whigs—his friendship with James Loch and Francis Horner assisting him in this very materially, securing him a footing in Holland House, where he soon became intimate. Here he met Wilberforce, whose friendship and influence were to be of such assistance to him in the next few years, and intercourse with whom converted him from an opponent to the SLAVE TRADE to an opponent of SLAVERY—a much greater difference than we, in these days, can well imagine.

Brougham's abilities and powers of sarcasm became so well known that on the formation of the ministry of 'All the talents' he confidently expected a seat in Parliament, but his ambition was not yet to be fulfilled, and, in place of this, he was sent as Secretary to Lord St. Vincent and Lord Rosslyn on a mission to Portugal, returning to England in the early part of 1807, shortly before the Whigs were once again in opposition.

In his *Memoirs* Brougham gives a copy of an interesting letter which he wrote to Lord Rosslyn after his return to England with regard to this mission, from which the following extracts are taken:—

'I wish to God my notification had been sent a week sooner, as it would have brought me home on the 1st of November instead of December 9, and

8 HENRY PETER BROUGHAM

have prevented all the evils that have resulted to my plans from so ill-timed an absence. But Secretaries of State and such great folks don't much think of other people in the lower departments of Government, and still less do they trouble themselves with thinking of absentees *hors de vue*, etc. I sincerely hope *your expedition* has not had such bad consequences to you. . . .

'Pray, how should I do as to money expended by me in Portugal? I take it for granted they mean to let all my own expenses fall on my own shoulders, and perhaps most of the secret service money. But I honoured Warre's bills and others to a considerable amount for ordinary consular services, etc., to save them trouble and keep them in good-humour; and I don't relish the joke of doing that without repayment. It is quite inconvenient enough to *advance* the money.—Ever most faithfully yours,

HENRY BROUGHAM.'

To this there is a footnote :—'The result was, that I was left considerably out of pocket by this mission. My personal services were, I dare say, worth nothing; but it was a little hard, not only to do the work, but to pay for the secret service of this LIBERAL Government.'

However much he may have been disappointed in the results of this mission, as they affected himself, on the dissolution of Parliament in the spring of 1807 Brougham gave his services freely in the election which followed, and though the Whigs were

badly beaten, Brougham's labours on their behalf were not forgotten at a later period, and it was recognised on all sides that a new and shining light had risen above the political horizon—so much so that when in July 1808 he applied to the Benchers of Lincoln's Inn for a special call to the Bar, the Attorney-General and Solicitor-General came down to vote against the proposal and carried the day—a piece of political animosity which at the present day seems incredible. The tumult and worry of the elections over, he applied himself to his profession and studied in the chambers of Mr. Tindal (afterwards Lord Chief-Justice), and on November 22, 1808, was called to the Bar, joining the Northern Circuit—since divided into the Northern and North-Eastern Circuits. His first case of note came on in the year of his call, but (like indeed most of his cases) was of a political rather than a legal nature. He was employed on the petition of the Liverpool merchants against the Orders in Council, and for six weeks was heard in both houses of Parliament, examining witnesses and making speeches which rendered his future success certain. At the Bar, however, he did but little, and seems never to have had any great success, having the reputation of caring more for his own than for his clients' interests. Political cases drew forth all his unrivalled powers, and in these he was an opponent to be feared; but for the ordinary everyday business of the Courts he would seem to have had little training and less inclination. Horner, in an account written in 1812, of his manner *in banc*,

10 HENRY PETER BROUGHAM

says:—‘I have been present at several arguments of his *in banc*, of which I should not, to say the truth, make a very high report, that is, in comparison of his powers and his reputation. Great reach and compass of mind he must ever display; and he shows much industry, too, in collecting information; but his arguments are not in the best style of legal reasoning. Precision and clearness in the details, symmetry in the putting of them together, an air of finish and unity in the whole, are the merits of that style, and there is not one of these qualities in which he is not very defective. But his desultory reasoning has much force in some parts, and much ingenuity in others.’

In 1810 his services to the Whigs were at last recognised, in the form which he desired. On February 10, in that year, he was returned for the rotten borough of Camelford, in the gift of the Duke of Bedford, and his career in a very short time was certain. Before entering upon the history of the chequered years before him it is as well to give the following extract from a letter written by Francis Horner to John Allen—a letter showing a very clear insight into his character, though perhaps tinged by personal friendship:—

‘LINCOLN’S INN, 6th January 1810.

‘DEAR ALLEN,—I rejoice exceedingly at the news you give me of Brougham coming into Parliament; and I am particularly glad that Lord Holland has had so great a share in effecting it. Brougham

never could have found a more fortunate moment for setting out upon his career, which though it may appear less brilliant at first, on account of the expectations which are formed of him, will be very speedily distinguished; and upon the whole I would predict that, though he may very often cause irritation and uncertainty about him to be felt by those with whom he is politically connected, his course will prove, in the main, serviceable to the true faith of liberty and liberal principles. For him personally it will be very fortunate if he has some probationary years to pass on the opposition side of the House.'

From this period onwards the letters now published offer no assistance to an understanding of this complex character, but, judging by all the material at command, 'the boy was father to the man.' His letters have shown him versatile, discontented, arrogant, and self-confident—it is not too much to say that his career discovered in him the same virtues and the same vices, intensified by age but otherwise unchanged.

Campbell says that on his return to Parliament Brougham made a vow to keep silent for a month. However that may be, his maiden speech was not delivered till March 5, 1810, on a constitutional question, and surprised every one by its mildness. On the whole it was not a success, though Brougham himself was well satisfied with it. On his month's silence, and the speech—or rather the later speeches—Campbell passes two characteristic remarks:—

‘And it was remarked that for the future he never was in his place a whole evening in either House of Parliament without regularly or irregularly more than once taking part in the discussions’; ‘. . . he very speedily restored the confidence of his friends, and the consternation of rivals, by renouncing once for ever affected mildness, and indulging without restraint his taste for vituperation.’ By the end of his first session he had attained a leading position in the House of Commons, and was practically the leader of the opposition, though nominally the older men were still in authority. The first subject to which he devoted himself as a member of Parliament was one with which he was already familiar—that of Negro Slavery; and on June 15, 1810, he brought forward a motion for an address to the Crown on the subject, making a most admirable and effective speech, of which there is room here for short extracts only. Having traced the history of the agitation for the abolition of the slave trade, and the poor results hitherto obtained, he proceeded :—

‘For accomplishing this detestable purpose, all the various expedients had been adopted which the perverse ingenuity of unprincipled avarice could suggest. Vessels were fitted out at Liverpool as if for innocent commerce with Africa. The goods peculiarly used in the slave trade were . . . not fitted and fixed until the vessel got to sea. . . . It was not commerce, but crime, that they were driving. Of commerce, that most honourable and useful

pursuit, whose object is to humanise and pacify the world—so inseparably connected with freedom, and goodwill, and fair dealing—he deemed too highly to endure that its name should, by a strange perversion, be prostituted to the use of men who lived by treachery, rapine, torture, and murder! When he said *murder*, he spoke literally and advisedly. . . . For ordinary murders there might be some excuse. Revenge might have arisen from excess of feelings honourable in themselves. . . . But here we have to do with cool, deliberate, mercenary murder—nay, worse than this, for the ruffians who go upon the highway, or the pirates who infest the seas, at least expose their persons, and by their courage throw a kind of false glare over their crimes. But these wretches dare not do this; they employ others as base, but less cowardly than themselves; they set on men to rob and kill, in whose spoils they are willing to share, though not in their dangers. Traders or merchants, do they presume to call themselves? and in cities like London and Liverpool, the very creations of honest trade! Give them their right name at length, and call them cowardly suborners of piracy and mercenary murder. Deprive these miscreants of the means of safe criminality, and society may be purified and avenged. Some of them will naturally go on the highway, others will betake themselves to open piracy, and we may see them hanging in chains along with other malefactors, as we descend the river Thames—a fit retribution for their crimes!’

For this speech, passionate and powerful, he was highly complimented by the leaders on both sides of the House, and his address was carried *nem. con.*, while in the following session he had the satisfaction of carrying a Bill by which persons engaged in the slave trade were declared to be guilty of felony. Whatever may be said of his want of consistency in other matters, there can be no doubt that, in his opposition to slavery and the slave trade, he was at all times guided and inspired by principle and not by self-interest.

The first chapter of his Parliamentary career, which closed in 1812, was marked by a further triumph—the abolition of the Orders in Council respecting neutral commerce. Brougham's first connection with these Orders, it will be remembered, was his appearance, as counsel for the Liverpool merchants, before the Houses of Parliament in support of a petition for the withdrawal of these Orders. As an advocate he had failed to convince the Government of the day, but as one of the leaders of the opposition he was more successful. After several debates, in which Brougham took the lead, the House of Commons agreed to hear evidence in support of the many petitions for the withdrawal of these Orders. Brougham and Mr. Alexander Baring (afterwards Lord Ashburton) conducted the case on behalf of the petitioners, and it soon became evident how weak was the position of the Government and what harm these Orders were doing to English trade. It was on April 28 that the Government consented to

an inquiry before a committee of the whole House to sit *de die in diem*; and the sittings began on May 5. Perceval, the Prime Minister, did all he could to protract the inquiry, having been led to believe that, at any rate from the woollen trade, counter petitions in favour of the Government policy would be presented. Brougham and Baring, however, successfully resisted these tactics, and by examining the witnesses, by discussions on objections, and by debating the petitions, till only those actually interested remained, they succeeded in pressing the matter forward. On May 11 Perceval was late, and Brougham, having sent a messenger to him, insisted on proceeding with the inquiry in his absence. A few minutes later, Perceval and Stephen entered the lobby—the former to die at the hand of an assassin. At the moment the fatal shot was fired, Brougham was examining one of the witnesses, but the House of Commons, of course, adjourned immediately. The following day the Government attempted to secure a suspension of the inquiry, but to this Brougham and those acting with him refused assent, and by pressing on while the other business was at a standstill, secured good progress and also the attention of the public to the proceedings before the committee.

Brougham had given notice for June 23 of a motion to address the Crown for the withdrawal of the obnoxious Orders, but on the advice of those acting with him the address was moved on the 16th, and it soon became evident that the Government, if they pressed the matter to a division, would find

themselves in a minority. Under these circumstances Castlereagh, on behalf of the Government, gave notice that the Crown had been advised to recall the Orders, and Brougham's long fight came to an end.

George III. was now hopelessly insane, and the heir-apparent was appointed Regent, the Whigs confidently expecting to form a Government; but though negotiations were opened with this object in view, owing to the indiscretions of Sheridan and others concerned they fell through, and Parliament was dissolved. Camelford having meantime changed hands, Brougham was not returned, and the Whigs having failed to provide him with a seat, he contested first Liverpool and then the Inverkeithing Boroughs, being unsuccessful. The failure of the party to provide him with a seat was a slight which Brougham never forgave, and in the future he appears to have regarded the leaders with deep distrust.

Returning now to his career at the Bar, in the years 1811, 1812, we find him defending the Hunts. In 1811 the *Examiner* published an article on flogging in the Army, and the Attorney-General filed an *ex-officio* information against the two Hunts, who employed Brougham as their counsel. After an admirable speech on the question of the policy of such proceedings, he concluded:—‘The men, therefore, are to see their comrades tied up, and to behold the flesh stripped from off their bodies, ay, bared to the bone, without any emotion but that of tranquil satisfaction? And all this the bystanders are also

to witness, without the smallest risk of thinking twice, after such a scene, whether they shall enter into such a service! But have a care how, at a distance from the scene, and long after its horrors have closed, you say one word on the general question of the policy of the system; because, if you should attempt to express your opinion upon that subject, a single word of argument, one accidental remark, will rouse the whole army into open revolt! Take no precautions for concealing such sights from those you would entice into the Service; do not stop up their ears while the air rings with the lash; let them read the horrors of the spectacle in the faces of those who have endured it. Such things cannot move a man, but description, remark, commentary, argument, who can hear without instantaneous rebellion?' In spite of an adverse summing up by Lord Ellenborough, the jury, after two hours' deliberation, returned a verdict of NOT GUILTY. Only three weeks later, in a similar trial at the Lincoln Assizes, Brougham defended the proprietor of a country newspaper, who was found GUILTY and sentenced to eighteen months' imprisonment!

The following year the Hunts were once more indicted—this time for a libel on the Prince Regent; but though Brougham made a very energetic and eloquent defence, they were found guilty and sentenced to a long term of imprisonment. As showing to some extent his peculiar views on the proportionate values of the political, as opposed to the verdict-getting, results of speeches, we here give a

18 HENRY PETER BROUGHAM

letter he wrote to Lord Grey shortly before this trial:—

‘TEMPLE, *November 25, 1812.*

‘MY DEAR LORD GREY,—Hunt’s trial comes on about the middle of the week after next, and they are in some consternation at Carlton House. Two several attempts have been made to buy him off, but of course in vain; one of them came almost directly from Macmahon soon *after* the trial, put off last July. I feel somewhat anxious about the verdict, but am full of confidence as to the defence and its effects all over the country. It will be a thousand times more unpleasant than the libel.—Believe me, most truly yours, H. BROUGHAM.’

And in a letter written just after the trial he says:—‘I fired for two hours very close and hard into the Prince—on all points, public and private—and in such a way that they *could* not find any opening to break in upon, and were therefore prevented from interrupting me.’

From his speeches in these trials Brougham got a great reputation as an advocate, in what was called ‘the sedition line,’ and in 1812, when the rioters at Huddersfield, Leeds, etc., who wrecked the machinery in the cotton mills, were indicted, he was retained on behalf of some of the accused, and on the whole was fairly successful; but his letters to Earl Grey at this time show how little he cared for this class of work as compared with those cases in which he was, or thought he was, able to damage

the Government—it is, in fact, quite clear that politics, and politics alone, had the power of keeping his interest, and of inducing him to exhibit to the full his unrivalled resources.

Although during the few years that Brougham was excluded from Parliament there is little to record distinguishing him from other members of his profession, they were, perhaps, the most important in laying the foundation of his future career, for in 1812 he first became one of the chief advisers of the unfortunate Princess of Wales, with whose career his own was so intimately bound up.

Early in 1816 he returned once more to his beloved arena—the House of Commons—as member for Winchelsea, being indebted for his seat to the Countess of Darlington, and there he at once plunged into debate as an active and daring opponent of the ministry. In addition to participating in nearly every debate, he brought forward motions on many subjects, as finance, education, the law of libel, etc. etc., on this last introducing a Bill which, however, he allowed to drop after the first reading.

After slavery, Education was probably the subject in which he was most sincerely interested, and on May 8, 1818, he pointed out the great advantage Scotland held, owing to her admirable system of parochial schools—an advantage held to the present day, in spite of the Education Acts:—‘Go where you will over the world,’ he said, ‘the name of a Scotchman is still found—*combined in the minds of all men, perhaps, with some qualities which sincere*

regard for that good people restrains me from mentioning, but certainly with the reputation of a well-educated man! To this enviable characteristic, *and not, I trust, to the other qualities imputed to them*, we may fairly ascribe the high credit, the great ease, and what is usually termed the *success in life*, which generally attend Scotchmen settled abroad. The countries where they have settled have partially followed their example—as indeed into what part of the world have they not immigrated? And, sir, let me ask, where have they gone without conferring benefits on the place of their adoption?’

Another matter on which he and Baring were again associated, was the agitation for the repeal of the Income Tax—an agitation carried on on the same lines as that against the Orders in Council, and with equal success, though on this occasion the Government faced a division in which they found themselves in a minority of thirty-seven; but generally speaking Brougham, for the remainder of this Parliament, was chiefly employed in consolidating his position, and worrying the Government wherever he saw an opportunity of employing his own peculiar talents. The years 1819-20, however, brought him fame in the greatest trial seen for many years. In 1819 it became known that Brougham’s fears as to the conduct of the Regent would be realised, and that the spies who had surrounded the Princess of Wales had collected sufficient ‘evidence’ to render her downfall certain in the eyes of the Prince and his sycophants. The Government now sent out the

infamous Milan commission to sift and collate the evidence prepared by their spies, and here, at the very outset of the proceedings, Brougham made two serious blunders: in the first place, on the despatch of the commission, to use his own words:—‘Being on intimate terms with Lord Hutchinson, a political as well as a personal friend, I wrote him a letter, which he was at liberty to communicate to the Prince, with whom he was on intimate terms, though not at all one of the Carlton House set. Though I well knew that the Princess would adopt this plan, yet I purposely avoided any direct communication with her, in order that I might not in any way commit her, and might state distinctly that it was only a proposition which I was disposed to make to her, and advise her to consider it.

‘The accounts which I had received from persons on whom I could rely as to the people who had access to her, and the confident statements put about of the Milan inquiry, inclined me to join some of the Princess’s best and most judicious friends in advising her to accept such terms as I had proposed in this communication, and to agree with herself in thinking her remaining abroad, at least for the present, advisable. I expected the proposal would be accepted; but in case it was not, she was not committed by it. I have little or no doubt that if the proposal had been at once accepted by the Regent and his advisers, she would have been glad to remain abroad.’ Now this proposal was that an income of £35,000 a year should be secured to

her for life, and that she should undertake to reside permanently abroad, *and never to assume the title of Queen of England*—in fact, if not in terms, that she should plead guilty to the misconduct with which she was charged !

On the death of George III., George IV. and his ministers, abandoning the time-honoured custom of the realm, omitted the Queen's name from the liturgy, a proceeding which caused great discontent throughout the country, and was in all probability mainly responsible for the shameful trial which followed. Caroline appointed Brougham her Attorney-General, and, on his advice, appointed Mr. Denman her Solicitor-General. Considerable delay ensued before any further steps were taken to determine the Queen's position, but at last, on April 15, 1820, Lord Liverpool sent Brougham a proposal to allow her £50,000 a year for life on condition that she never came into any part of the British dominions, and engaged to take some other title than Queen of England. This proposal Brougham, for some reason, never communicated to the Queen—an omission for which he has been greatly and justly blamed, though it is most improbable that she would have accepted it, or that the subsequent course of events would have been different to any material extent. The Queen wrote to Lord Liverpool, complaining of the omission of her name from the liturgy, and announcing her intention of returning to England to claim her rights. This led to further negotiations, the King at last saying that the above-

mentioned terms were final ; that if she came to England to demand her rights, a Bill would be introduced to dissolve the marriage, and degrade her from her status as Queen. She thereupon wrote a letter from Rome, detailing her wrongs, which was published in the leading papers of the day, and which gained her the sympathy of the public ; writing also to Brougham to meet her at Geneva, and set out for England. Brougham suggested some meeting-place nearer than Geneva, and finally a conference was arranged to take place at St. Omer, between Lord Hutchinson on the part of the King, and the Queen, assisted by Brougham. The King's proposals were placed before her, and, not even stopping to consult Brougham, she at once set out, without his knowledge, for England, landing at Dover. Both parties at this time blamed Brougham for the failure of the negotiations, and the Queen, becoming suspicious, placed herself in the hands of Alderman Wood, and by his advice attempted to supersede Brougham, Mr. Scarlett (afterwards Lord Abinger) being unsuccessfully approached for this purpose. Finally it was determined to retain Brougham, but to associate Mr. Wilde (later Lord Chancellor Thurlow) with him. If the Queen had lost no time on hearing the shameful terms proposed, her enemies were equally prompt in action. The very day of her arrival in London, a messenger from the King hurried down to both Houses of Parliament to communicate certain papers, contained in a green bag, animadverting on the conduct of the Queen, which

he recommended to their immediate attention, observing :—‘ That he felt the most anxious desire to avert the necessity of disclosures and discussions which must be as painful to his people as to himself, but that the step now taken by the Queen left him no alternative.’

Hitherto, undoubtedly, Brougham’s conduct in the management of the Queen’s affairs had been open to severe criticism—his offer of compromise without her authority, or even knowledge; his failure to communicate the terms of the King and Government when first made, and many other of his proceedings, amounting even to a breach of confidence and professional good faith; but for all these errors he atoned faithfully and brilliantly in the strenuous days before him—so well indeed, that at one time it seemed probable that a Revolution would result, and the power and dignity of the Crown suffered a reverse from which it did not recover for many years.

The following day was fixed, in the House of Commons, for moving an address to the King, thanking him for his gracious message, but before the debate began Brougham read a communication to the House, some extracts from which are here given :—‘ Upon her arrival, the Queen is surprised to find that a message has been sent down to Parliament, requiring its attention to written documents; and she learns with still greater astonishment that there is an intention of proposing that these should be referred to a secret committee. It is this day

fourteen years since the first charges were brought forward against her Majesty. Then, and upon every occasion during that long period, she has shown the utmost readiness to meet her accusers, and to court the fullest inquiry into her conduct. She now also desires an open investigation, in which she may see both the charges and the witnesses against her—a privilege not denied to the meanest subject of the realm.

‘In the face of the Sovereign, the Parliament, and the country, she solemnly protests against the formation of a secret tribunal to examine documents privately prepared by her adversaries, as a proceeding unknown to the law of the land, and a flagrant violation of all the principles of justice; she relies with full confidence upon the integrity of the House of Commons for defeating the only attempt she has any reason to fear. . . .’

Lord Castlereagh then moved that the papers be referred to a Select Committee, and Brougham answered:—‘. . . He must be a sagacious man who could pretend to describe the course which the inquiry might take—who could assert what steps men bound by professional ties to regard nothing but the safety of their client, might think it necessary to recommend. . . . The Queen thinks it necessary for the clearing of her own honour, that the inquiry should be persisted in to the end; she shrinks not from it; she courts it; she is prepared to meet it; she comes from safety into—I will not say *jeopardy*, because the innocent in this land of law and liberty

can know no jeopardy—but trouble, vexation, and anxiety—to go through this painful and, in my view, odious and frightful investigation. . . . As her Majesty's servant, I would not disobey her commands, and where her honour is at stake I would do my best to defend it ; but, in the upright performance of my duty in this House, I feel called upon even to thwart her Majesty's inclination, and I would tell her—"Madam, if negotiations yet be possible, rather go too far, and throw yourself upon your country and upon Parliament for your vindication, than not go far enough ; if yet it be possible to avert the ruin which threatens the Nation, your honour being safe, be ready to sacrifice all besides." If I might advise those who stand in a similar situation with respect to the King, I would say to them—"Act like honest men, and disregard all consequences ; tender that counsel to your sovereign which the case demands, and do not fear that Parliament will betray you, or the country desert you. Do not fear that even political calamity will attend you ; for if successors must be appointed to your places, be sure that they will not be found within these walls!"

So deep was the impression produced by this speech, strengthened, as it was, by Canning, that when Wilberforce moved the adjournment of the debate the motion was carried by acclamation, and negotiations were once more opened between the advisers to the King and Queen, to end once more in failure.

In the meantime, the Select Committee, of the

Lords, having reported that the charges against the Queen ought to become the subject of solemn inquiry, Lord Liverpool introduced the Bill of Pains and Penalties. The next day the Queen presented a petition that her counsel might be heard, and, an order having been made to that effect, Brougham appeared at the Bar. The greater part of the remaining pages dealing with this portion of Brougham's career consists of selected quotations from his speeches; the annotators would refer those whose interest is aroused to the reports of the House of Lords, or to one of the many full reprints of the proceedings which have been published. His opening speech, bitter and sarcastic, was but a foretaste of the flood of eloquence to which the House of Lords was to listen for many days:—

‘It has been argued, I am informed, by the promoters of this Bill, that my illustrious client is to be dealt with as if she were the lowest, not the highest, subject in the realm. God grant that she were in the situation of the lowest subject in the realm! . . . She would then have been fenced round by the triple fence whereby the law of England guards the life and honour of the poorest female. . . . There would then have been among her judges none who were the servants of her husband, for her counsel would have had the right of challenging all such; none who were hired by him during his pleasure; none who were placed in a situation to feel gratitude for the past or expectation for the future favours which he had it in his power to bestow. . . . With the

confidence of injured innocence she flings herself upon the House, and trusts that no mixture of party—no presence of interested persons; no adventitious influence exercised out of doors; no supposed want of sympathy with the feelings of the country; no alleged, though falsely alleged, tendency on the part of your Lordships to truckle to royal favour—will stand between the Queen and justice, or prevent her case from receiving a fair, impartial, and unprejudiced decision. . . . The right of recrimination I could not exercise without directly violating the express injunctions of her Majesty. . . . I will appeal to the spirit of holiness, and to the heads of the Church now ranged before me, whether adultery is only to be considered a crime in woman. . . . Be assured that the good sense of the nation cannot be deceived, and that those at a distance will be both shocked and astonished. In their homely language, they will assert that it is an attempt to accomplish one purpose under the colour of another. “Here is a man,” they will say, “who wishes to get rid of his wife; he talks of the honour and the safety of the country, yet its dearest interests, its peace, its morals, and its happiness, are to be sacrificed to gratify his desires.” I shall think it likewise fit to remind your Lordships that it is provided by your Lordships’ Standing Orders that the husband who applies for a divorce shall personally attend the House, in order that he may be examined before the divorce is granted, in order to show that there is no collusion, that he himself stands *rectus in curia*, and that he himself,

having always acted as a kind and faithful husband, is entitled to a dissolution of the marriage by reason of the infidelity of his wife.'

The Attorney and Solicitor-General followed on the other side, and it became evident that the Bill would be proceeded with and the trial continue, so Brougham in his reply applied himself to the comparatively easy task of discrediting the witnesses to be called on behalf of the King by implication:—

'If the prosecution is to succeed, we must suppose that the charges are to be substantiated by witnesses above all suspicion. My impression is, that they must be persons of exalted station. . . . They must be seised in fee-simple of those decent habiliments in which it will be fitting that they should appear before your Lordships, and those, too, purchased out of their own ample revenues. I suppose they must be persons who can regale themselves at their own expense—who can live in separate apartments, and can fare sumptuously every day. They surely cannot be persons who are called together by the ringing of a bell, or the beating of a drum, to a common meal, provided at the expense of others. At least, they must have full liberty of locomotion, and when they go abroad no other individual will be seen attending them, or watching their motions, but their own *lacquais de place*. To meet a cloud of such witnesses must be enough to appal any man.' As if to dot the i's and cross the t's of this satirical description, the first witness called was Teodoro

30 HENRY PETER BROUGHAM

Majocchi, postillion to General Pino! His evidence in chief was damning, but under Brougham's cross-examination he broke down hopelessly, and to question after question his only reply was '*Non mi ricordo*'—a phrase which long passed into everyday language as a synonym for mendacity. The case for the Crown did not close till September 9, the Queen's Attorney-General during the whole proceedings causing great dismay not only by what he *actually said*, but even more by what his opponents *feared he would say*. From the very commencement he had claimed the right to regard the case as an ordinary divorce suit at the instance of the husband—a view which the other side strenuously opposed, contending that it was a Government measure introduced for the safety of the State; an argument which gave Brougham an opportunity for further sarcasm and ridicule, of which he was not slow to avail himself:—'After the assertion of my learned friend, I am bound to believe that this measure is not to gratify the wishes of the King, and that his Majesty looks on with indifference, solicitous only that "right be done." But who, then, is the prosecutor? What is this mysterious being?—

"that shape hath none
Distinguishable in member, joint, or limb;
Or substance may be called which shadow seems?
What seems his head
The likeness of a kingly crown has on?"

At the close of the case for the prosecution the hearing was adjourned till October 3. Brougham

made use of the interval in getting up his speech for the defence—a speech which he himself considered to be one of the most wonderful ever delivered, and which certainly, at the time, had a brilliant success. In his peroration he said :—‘ Such, my Lords, is the case now before you ! Such is the evidence in support of this measure—evidence inadequate to prove a debt—impotent to deprive of a civil right—ridiculous to convict of the lowest offence—scandalous if brought forward to support a charge of the highest nature which the law knows—monstrous to ruin the honour, to blast the name, of an English Queen ! What shall I say, then, if this is the proof by which an act of judicial legislation, a parliamentary sentence, an *ex post facto* law, is sought to be passed against this defenceless woman ? My Lords, I pray you to pause. I do earnestly beseech you to take heed ! You are standing upon the brink of a precipice—then beware ! It will go forth your judgment, if sentence shall, go against the Queen. But it will be the only judgment you ever pronounced which, instead of reaching its object, will return and bound back upon those who give it. Save the country, my Lords, from the horrors of this catastrophe—save yourselves from this peril ; rescue that country, of which you are the ornaments, but in which you can flourish no longer, when severed from the people, than the blossom when cut off from the roots and the stem of the tree. Save that country, that you may continue to adorn it ; save the Crown, which is in jeopardy—the Aristocracy, which is

shaken—save the Altar, which must stagger with the blow that rends its kindred Throne! You have said, my Lords, you have willed—the Church and the King have willed—that the Queen should be deprived of its solemn service. She has, instead of that solemnity, the heartfelt prayers of the people. She wants no prayers of mine. But I do here pour forth my humble supplications at the Throne of Mercy, that that mercy may be poured down upon the people in a larger measure than the merits of its rulers may deserve, and that your hearts may be turned to justice.’

The subsequent fate of the Bill is well known. Passed in the House of Lords by a majority of nine only, the Government withdrew it; but who can say to how great an extent this result was due to the great and manly eloquence of the Queen’s Attorney-General, or how far the Queen’s opponents were intimidated by the barely veiled threats contained in his concluding speech?

The inevitable result of this success was an immediate accession to his practice at the Bar, and though in many cases he was beaten by men of inferior ability but greater tact, in every instance, whether on circuit or in London, where a case excited public interest, he was sure to be retained. Campbell says of him:—‘Nevertheless, he did not get into regular employment in the ordinary routine business of the Courts; and it used still to be said that whereas Erskine never spoke a word except with a view to the verdict, Brougham, chiefly solicitous

about himself, having made a brilliant speech, was rather apathetic as to the event of the trial.'

Brougham was once more to appear for the Queen, this time before the Privy Council, when he argued her petition to be included in the coronation—a petition which was unanimously rejected. This petition, presented on the advice of her Attorney-General, was injudicious, but still more so was her attempt to force her way into Westminster Abbey when the ceremony took place; but her indiscretions and the persecution to which she had been subjected by her enemies were soon to end together—she died on August 7, 1821.

On the death of the Queen, Brougham had, of course, to take his place 'without the Bar' once more, where, owing to the animosity shown him by the King, he remained six years. There were still two cases, however, reviving the passions which had been excited by her persecution. The first was a criminal information against the Rev. Mr. Blacow for a libellous sermon preached by him on the Sunday after the Queen's procession to St. Paul's to return thanks for her victory: the jury found him guilty, and he was sentenced to three months' imprisonment. In the second he defended Mr. Williams, proprietor of the *Durham Chronicle*, in a criminal information for libel in an article published in that paper, commenting severely on the failure of the clergy to have the bells of the cathedral and churches tolled on the Queen's death. Brougham's speech on this occasion was

indeed worthy of his reputation, and some short extracts are appended:—‘His Majesty, almost at the time in which I am speaking, is about to make a progress through the northern provinces of this island; and there the Prince will see much loyalty, great learning, some splendour, the remains of an ancient monarchy, and of the institutions which made it flourish. But one thing he will not see. Strange as it may seem, and to many who hear me incredible, from one end of the country to another he will see no such thing as a Bishop; . . . and in all the land not one single curate, so entirely rude and barbarous are they in Scotland; in such outer darkness do they sit, that they support no cathedrals, maintain no pluralists, suffer no non-residence; nay, the poor, benighted creatures are ignorant even of tithes. Not a sheaf, or a lamb, or a pig, or the value of a plough-penny, do the hapless mortals render from year’s end to year’s end! Piteous as their lot is, what makes it infinitely more touching, is to witness the return of good for evil in the demeanour of this wretched race. . . . Let us hope (many, indeed, there are, not afar off, who will with unfeigned devotion pray) that his Majesty may return safe from the dangers of his excursion into such a country—an excursion most perilous to a certain portion of the Church, should his royal mind be infected with a taste for cheap establishments, a working clergy, and a pious congregation! . . . My purpose . . . was merely to remind you how preposterous it is in a country of which the ecclesiastical polity is framed

upon plans so discordant, . . . to require any very measured expressions of men's opinions upon questions of Church government. And if there is any part of England in which an ample license ought more especially to be admitted in handling such matters, I say without hesitation it is this very Bishopric, where in the nineteenth century you live under a Palatine Prince, the Lord of Durham ; . . . where the establishment I dare not whisper proves grinding to the people, but I will rather say is an incalculable, an inscrutable blessing,—only it *is* prodigiously large ; showered down in a profusion somewhat overpowering ; and laying the inhabitants under a load of obligation overwhelming by its weight. . . . I have hitherto all along assumed that there is nothing impure in the practice under the system ; I am admitting that every person engaged in its administration does every one act which he ought, and which the law expects him to do ; . . . I am even presuming that up to this moment not one of those individuals has stepped beyond the strict line of his sacred functions, or given the slightest offence or annoyance to any human being. I am taking it for granted that they all act the part of good shepherds, making the welfare of their flock their first care, and only occasionally bethinking them of shearing, in order to prevent the too luxuriant growth of the fleece proving an encumbrance, or to eradicate disease. If, however, those operations be so constant that the flock actually live under the knife ; if the shepherds are so numerous, and employ

so large a troop of the watchful and eager animals that attend them—can it be wondered at if the poor creatures thus fleeced, and hunted, and barked at, and snapped at, and from time to time worried, should now and then bleat, dream of preferring the rot to the shears, and draw invidious, possibly disadvantageous, comparisons between the wolf without and the shepherd within the fold? . . . It is, moreover, the most pitiful folly for the clergy to think of retaining their power, privileges, and enormous wealth, without allowing free vent for complaints against abuses in the Establishment and delinquency in its members; and in this prosecution they have displayed that folly in its supreme degree.

‘My learned friend, Mr. Scarlett, has sympathised with the priesthood, and, innocently enough, lamented that they possess not the power of defending themselves through the public press. . . . They have largely used that press—against some persons very near me; I mean especially against my client—having scurrilously and foully libelled him through that great vehicle of public instruction. . . . Not that they wound deeply or injure much, but that is no fault of theirs—without hurting, they give trouble and discomfort. The insect brought into life by corruption, and nestled in filth, though its flight be lowly and its sting puny, can irritate the skin and offend the nostril and altogether give nearly as much annoyance as the wasp. These reverend slanderers—these pious back-biters—devoid of force to wield the sword, snatch the dagger, and destitute of wit to

point or to barb it and make it rankle in the wound, steep it in venom to make it fester in the scratch. . . . After abusing and wellnigh dismantling, for their own despicable purposes, the great engine of instruction, they would have you annihilate all that they have left of it, to secure their escape. They have the incredible assurance to expect that an English jury will conspire with them in this wicked design! . . . If at length the free press of this country, and with it the freedom itself, is to be destroyed—at least let not the heavy blow fall from your hands. Leave it to some profligate tyrant; leave it to a mercenary and effeminate Parliament—a hireling army, degraded by the lash, and the readier instrument for enslaving its country; leave it to a pampered House of Lords—a venal House of Commons—some vulgar minion, servant-of-all-work to an insolent Court—some unprincipled soldier, unknown, thank God! in our times, combining the talents of a usurper with the fame of a captain; leave to such desperate hands, and such fit tools, so horrid a work! . . .’

In spite of Brougham’s invective the defendant was found ‘Guilty of publishing a libel against the clergy residing in and near the city of Durham and the suburbs thereof.’ Next term a rule was granted to show cause why judgment should not be arrested, and no one appearing for the prosecution it was allowed to drop.

In order that readers may fully appreciate his reference to the connection of the clergy and the

press, it is necessary to mention that Mr. Philpotts, one of their number, and subsequently Bishop of Exeter, published a pamphlet in which he described Mr. Williams, the defendant, as 'a miserable mercenary, who eats the bread of prostitution and panders to the low appetites of those who cannot, or who dare not, cater for their own malignity,'—which for one who had not the power of defending himself through the public press would appear to be sufficiently strong! With this prosecution the disgraceful proceedings connected with the unhappy Queen came to an end, leaving behind them, however, embittered feelings, mutual hatred and distrust, the sour fruit of which for many years poisoned the public life of the country.

On the death of the Queen, Brougham's position in his profession was materially altered. He returned, of course, to his place 'without the Bar,' but accounts vary considerably as to the effect on his practice. According to Campbell, while at first there was a great (and natural) increase in his practice, yet, in the course of the next five years, owing to his want of tact and love of rhetoric, it dwindled away—an account which appears to be tainted with that envious spite from which Campbell, unfortunately, never entirely freed himself. Other authorities take a very different view, and Brougham in his *Memoirs* (written, it must be remembered, in his old age, and when his mental powers were failing) says that the conduct of the King in refusing him precedence was, in fact, the cause of practical ruin to many of his

seniors on the circuit, and emphasises that opinion by quoting letters written at the time :—

‘The injury to my seniors was very great of the rank being refused by the Crown, from the personal hatred of the King and the timidity of Eldon. Several men were nearly thrown out of practice, because, being my seniors, they could not hold junior briefs with me. . . . This spite of the King’s, so well seconded by Eldon’s want of nerve and the shabbiness of the other legal authorities, was very distressing in its consequences; and I felt it strongly, though of course I had no hand in it; but others, and not myself, were really the sufferers. My practice recovered rapidly, and in one year I made in a stuff gown above £7000; so that in 1827, when pressed to take the rank so long withheld, I at first declined; but it was urged on account of others, and I consented. While my exclusion continued, it was most painful to see men whom I had known in good business sitting behind empty bags, almost briefless, owing to the accident of their being my seniors.’

It is clear that he felt the slight put upon him very greatly, and on two or three occasions, at any rate, applied for a silk gown. In 1823 it appeared that the Northern Circuit would in all probability have but one silk left, and in his *Memoirs* we find the following notes and correspondence :—‘Before the spring circuit we had reason to believe that Jonathan Raine might leave it; and if this happened, we should have been reduced to one silk

gown (Scarlett). The injury to many who were my seniors in standing, as Pollock and others, was now becoming so serious, that I was pressed to lay the matter before Eldon, and to urge him to remedy the grievance. I did this very reluctantly, but the evil was undeniable, and the pressure upon me was too great to be resisted. Accordingly I wrote to the Chancellor as follows:—

“LINCOLN’S INN, *February 25, 1823.*

“MY LORD,—I take the liberty of calling your Lordship’s attention to the application which I formerly made for a Patent of Precedence; and I trust that your Lordship will pardon me if I add a statement of the reasons which induce me, upon the promotion of Mr. Sergeant Hullock, to pursue this course.

“If my own convenience alone were in question, I should not now trouble your Lordship; but I am induced to renew the application in consequence of the injurious effects occasioned to others by my want of standing, especially on the Northern Circuit, the inconvenience to which clients are frequently subjected, and, I may add, recommendations proceeding from a high judicial quarter, where those inconveniences are known. May I be permitted further to say, that political differences would of course preclude the possibility of my making any application for rank, if I could regard the distribution of it as a matter of official patronage. Those differences can in no degree lessen the profound

respect with which I have the honour to be your
Lordship's most obedient and humble servant,

H. BROUGHAM."

'To this application no answer was returned, and, of course, no compliance with my demand; for I considered it rather in the light of a just demand for the sake of others than a favour personal to myself. I then, as usual, joined the spring circuit at York. What we had anticipated in February, before I left London, having happened, I wrote the following letter to Lord Grey:—

"NEWCASTLE, *March 11, 1823.*

"MY DEAR LORD GREY,—Jonathan Raine is made a Welsh judge, and has signified (as of course) that he has left the Northern Circuit, so that here we are to go round on this large and important circuit with one single silk gown—for the first time that it has ever been with less than three. All the northern counties have a right to complain of this, for it makes it absolutely impossible for more than *one side* of each cause to have justice done it. Whoever retains Scarlett has a leader and special pleader; at least his choice of the special pleaders. Whoever does not, must take a leader, and has only half a choice of pleaders. It is in vain to say there is Cross, a sergeant, for they *will not take him*, as has been shown in these two counties when he came with Williams and me, and never had a brief. Now the Chancellor is in a scrape if he persists in show-

ing his spite; and I strongly urge you to ask him privately in the House of Lords on Thursday evening whether he really means to let us go to York and Lancaster without any rank, except Scarlett. He must not now pretend that there are personal difficulties. If he does, I have the King's own authority for denying it positively, and you may tell him so.

"Bayley has so strong an opinion of it that he has offered to call Williams and myself within the Bar at Lancaster; but we are resolved to refuse it. I have done quite enough in writing to the Chancellor. Pray, if you can, learn his intention; you have a full right as a north-countryman.—Yours ever,

H. B."

"YORK, *March 25, 1823.*

"DEAR LORD GREY,—In case you may wish to know the result of the Chancellor's low trick to *force* me out of the lead, relying on the NOW obsolete prejudice in favour of silk gowns, I have to tell you the exact result of it. I have been in everything, and led equal with Scarlett, or thereabouts—a little under or over. Williams (especially high in Eldon's hatred, as in his own merits) comes clearly and plainly next, though certainly at some distance. Cross has again failed completely, and in a decisive manner. Littledale (the greatest shame of the whole) on the shelf. One Hardy (a Tory, favourite of Eldon, and *protégé* of Bragge) who *had* good business, has not a brief. Others above me affected in

proportion. Tindal not much affected either way. Parke (Tory) by no means benefited ; but Alderson (Whig, and great friend of mine) has had his fortune made, being in almost everything with me. This is really a strong case of retributive justice. The charm about silk gowns is at an end, and I am clear that this branch of patronage has been sacrificed to a vile personal spite.—Yours ever truly,

H. BROUGHAM."

'The following shows the conclusion of this farce, and of Eldon's spiteful conduct :—

"LANCASTER, *April* 1823.

"DEAR LORD GREY,—You will be surprised to hear that after what passed yesterday, we have after all finally refused being called. But the judges chose to do a foolish thing, which left us no choice. They sent to every man who is senior to us, and offered it to them all—about a dozen and a half—not one of whom ever has a brief, at least hardly any of them, and *none* of them with the slightest pretensions. Two accepted, the rest laughed. We immediately sent a respectful refusal, stating why. On which, of course, the two, who had accepted only on the ground of not being passed by, refuse also—at least so I hear. It is now *far* better as it is, and the *whole circuit* approve—the hit at the Chancellor being the very same.—Ever truly yours,

H. B.

"Pray tell Sefton this—I have not time."

These extracts—a verbatim copy from his *Memoirs*—may serve to conclude this outline of his career at the Bar, where, though his practice would seem to have been great, he had few further opportunities of exercising his greatest powers, and leave us free to sketch his political career. Before commencing this, however, it should be stated that, in 1821, he married Mary Anne, daughter of Thomas Eden, and widow of John Spalding; by whom he had two daughters, the elder dying in infancy and the younger in 1839.

In Parliament his interest in education (already referred to) led, in 1818, to the appointment of a Commission to inquire into charity abuses, and this inquiry was extended at his request to the Universities, also to Eton and Harrow. The scandalous abuses exposed by this Commission led to much bitterness, but to little immediate practical result. In June 1820 he brought in two Bills providing for the *compulsory* building, management, and maintenance of parochial schools, but owing to the bitterness between dissenters and the Church, the proposals fell through.

On the death of Lord Londonderry in 1822 it seemed probable that the Whigs might come into power, and much speculation took place as to the policy they would pursue when in office, and the places the various leaders would hold. In his *Memoirs* Brougham gives much correspondence which passed between him and Lord Grey—too lengthy to be quoted *in toto*, yet too important to be passed over in silence:—

‘BROUGHAM, *Monday, Sept. 3, 1822.*

‘MY DEAR LORD GREY,— . . . Now, with regard to the POSSIBLE event (as it certainly is) of either now, or some months hence, a negotiation being begun, I quite agree that you do most perfectly right to be considering it, in order that you may not be taken unprepared. Of course you will be on your guard against their accustomed trick of insincere overtures, in order to put you in the wrong, and have a pretext for telling the Parliament and country that the weakness of the Government is not their fault ; and will, if it is to go off, take care it shall do so upon clear, high, and, above all, intelligible grounds, requiring no refinement, and, if possible, not on any point of *constitutional etiquette*, which the people are stupid enough not to apprehend, and, I fear, wrong enough not to value if they did. I would fain hope that we *are all* pretty well agreed as to essentials—namely, Catholic question and Irish tithes, and boldly putting down that vile Orange junta, who are not formidable in reality ; maintaining existing treaties, and favouring the Bourbons as against republicans and Bonapartists, but leaning against the Ultras ; and though refusing any Greek or other crusades, yet strenuously resisting all interference from the other side, of the Holy Alliance ; and though not taking any part in the internal policy of South America, Spain, etc., yet losing no time to recognise the new governments and establish commercial intercourse with them. . . . Much credit will justly be acquired by some other

stipulations, as remission of a few bad taxes, repealing some of the silly and obnoxious laws against the press, taking the fixed resolutions of putting down, by *nolle prosequi*, all prosecutions for libel by societies, revising the criminal law and some other parts of the law, abolishing flogging, etc.

As to the detail, I am very anxious that no discussion should, for the present, be had as to casting of parts, because I *know* most positively what mischief it always does. . . . But though these considerations and the recollection of former occasions make me dread any *talk* of arrangements, it is quite fit that *you* should be aware of how matters would stand. Suppose everything else settled, . . . the only puzzle would be the choice of a nominal leader; and really I can't see why Tierney might not go on, taking it just as easily as he chose. . . . Then, as for myself, the point to which you particularly allude, there is certainly some little difficulty; for I could on no account give up my profession. Indeed it would not be justifiable; and I feel that there are serious disadvantages in one who must of necessity take a very forward and constant part in all debates not being officially connected with the Government. . . .—Ever most truly yours, H. B.'

In answer to this Lord Grey wrote:—

'HOWICK, *September 5, 1822.*

'MY DEAR BROUGHAM,— . . . Now as to *possibilities*; and first as to measures. These, in the first

instance, should be only generally described. I could have no share in any Government that was not founded on a change of system, both at home and abroad.

‘. . . Now as to arrangements. Certainly nothing could be more disadvantageous, or even more absurd, than to be discussing them at this moment. But that single point—viz. the management of the House of Commons—is one which we must consider betimes, if we look at any possibility of our being called upon to undertake the Administration.

‘After thinking much upon the subject, I am satisfied that the lead there must *really and effectively*, if not nominally, be in your hands; and this it can only be by your being a member of the Government. . . . But in office you must be, or the Government, I am persuaded, could not go on. . . . This, therefore, I consider as a *sine quâ non*; and your saying you will take no office is, in my mind, tantamount to saying no Whig Administration can be formed. . . .—Ever yours,

GREY.

‘P.S.—The something I should do on Parliamentary reform would be a good deal; and I think it would be necessary to take our stand upon it, at least till it had had a fair trial. There are difficulties on all sides; but the only chance you could have of carrying anything would be by some assurance that the thing would be kept quiet afterwards.’

These extracts show how great was the confidence between Brougham and Lord Grey at this time, and,

while not actually precluding Lord Campbell's theory—(that Brougham was one whom the Whig leaders desired to leave out of office, but had not the courage, because they feared his resentment even more than his support and counsel)—tend rather to prove that, whatever may have been the case later, Brougham was now sincerely anxious to keep his lucrative practice at the Bar, and, while retaining his seat in Parliament, and giving a generous and general support to a Whig Government, to decline all office, as being too precarious for a man without capital and with a newly married wife; for even his enemies have always said that at no time of life did he care for money for the purpose of hoarding—no sooner was it earned, than spent. Later extracts from letters will confirm, or refute, this deduction, according to the reader's point of view.

These negotiations and surmises proved to be premature, the King accepting Canning as Foreign Secretary. In the session of 1823 the main subject of debate was the Bill for the relief of the Irish Roman Catholics, of which measure Canning had hitherto been a warm supporter. In the course of the session he made a speech, which, while befriending the Bill, recommended delay. In answering this speech Brougham said:—‘When did this change come upon him? Was it when the question arose whether he should go to India in honourable exile, or take office in England, and not submit to his sentence of transportation, but be condemned to hard labour in his own country—doomed to the dis-

quiet of a divided council—sitting with his enemies and pitied by his friends—what he most desired having become the *forbidden fruit* which he must not touch without being ejected from Paradise! His fate then depended upon his sentiments, or rather the part he was to take respecting Emancipation. He has said to-night that he would not truckle to a noble lord, who in truth required no such sacrifice; but on the occasion I refer to, when truckling was necessary, he exhibited a specimen—the most incredible specimen—of monstrous truckling for the purpose of obtaining office, that the whole history of political tergiversation could furnish——’

Mr. Secretary Canning: ‘I rise to say that that is false.’

The Speaker of course interposed, but Canning refused to withdraw. Tierney, and several other members, tried to bring about an explanation, but to no purpose, and finally a motion was made, ‘That the Right Honourable George Canning, and Henry Brougham, Esq., be committed to the custody of the Serjeant-at-Arms’—this being the means employed at that period to prevent duels taking place between members of the House of Commons, owing to speeches made in that House. After much hesitation, Brougham made a statement explaining his use of the words ‘political tergiversation,’ Canning said that he should think no more about it, and the motion was discharged. This scene appears to have given rise to that ridiculous convention, now so well known, under which the most insulting language

may be used, provided it is used in a 'Parliamentary sense.'

In 1824 the subject of slavery once more came up in the House of Commons, and Brougham as usual took a leading part in the debates.

In the session of 1825 Brougham made many attacks on Lord Eldon, the Lord Chancellor—attacks believed at the time, and probably with reason, to be founded on personal animosity, owing to Eldon's failure to make him a King's Counsel. In one of the most bitter, in a debate on the Catholic question, Brougham thus exhorted the members of the Cabinet, who were in favour of the measure, to disregard the Lord Chancellor:—

'Of what are they afraid? What is their ground of alarm? Do they think that he would resign his office? that he would quit the Great Seal? Prince Hohenloe, the modern miracle-worker, is nothing to the man who could work such a miracle. A more chimerical apprehension never entered the brain of a distempered poet—anything but that. Many things may surprise me; but nothing would so much surprise me as that the noble and learned individual to whom I allude should quit his hold of office while life remains. A more superfluous fear than such an event never crossed the wildest visionary in his dreams. Indeed, Sir, I cannot refrain from saying that I think the right honourable gentlemen opposite greatly underrate the steadiness of mind of the noble and learned individual in question. . . . Nothing can equal the constancy with which he has borne the

thwarts that he has lately received on the questions of trade. His patience under such painful circumstances can be rivalled only by the fortitude with which he bears the prolonged distress of the suitors in his own court ; but to apprehend that any defeat would induce him to quit office is one of the vainest fears—one of the most fantastic apprehensions—that was ever entertained by man. Let him be tried. . . . The more splendid the emoluments of a situation, the more extensive its patronage—the more he is persuaded that it is not allowed to a wise and good man to tear himself from it. . . . However, I do entertain that the perseverance of this eminent person may be put to the test. Let the right honourable gentleman say he will resign, if the Catholic question be not carried in the Cabinet ; let the noble and learned lord say that he will resign if it be carried. I am quite sure of the result. The Catholic question would be carried, but the noble and learned lord would retain his place.'

In this year also Brougham had the satisfaction of seeing University College, London, successfully inaugurated, of which he is generally regarded as the founder, though here again not without criticism by Campbell, who says :—' But Brougham had the reputation of being the founder of London University College, open to all religions, although Thomas Campbell, author of the *Pleasures of Hope*, complained to me (and I believe justly) that the ostensible founder had stolen the plan from him—the poet concluding his narrative by exclaiming,

"Greatest, brightest, *meanest* of mankind!" Against this statement by Campbell may be placed the following extract from a letter from Earl Grey:—

HOWICK, *October 7, 1828.*

'MY DEAR BROUGHAM,—I have received with the greatest pleasure your confirmation of the account I had previously read in the newspapers of the successful opening of the London University. It must afford the truest satisfaction to everybody who thinks, as I do, of the public benefit likely to arise from such an institution. But to you it must be peculiarly gratifying, for *you* have been the creator of this establishment, and your name will be for ever united with the improvements which may spring not only from this, but from the rival college, which never would have existed but for the success of your exertions. . . .—Ever yours most truly,

GREY.'

In 1827 the sudden illness of Lord Liverpool completely changed the political situation. Canning was commissioned by the King to form a new Administration, but on Eldon's advice most of his colleagues refused office, hoping to prevent Canning from becoming Prime Minister, and force the King to send for Peel. Canning, however, opened negotiations with the Whigs; in these negotiations he was warmly supported by Brougham, whose reward was the offer of the office of Chief Baron of the Exchequer, which he refused. Lord Lynd-

hurst, the new Chancellor, succeeded in overcoming the King's objections, and Brougham was given his silk gown, with a patent of precedence, giving him the same rank as if he were King's Counsel. He was, of course, attacked in the House of Commons for his support of the Government, but boldly defended himself from any charge of inconsistency. 'Whether we look, I say, to the east or the west, to America or to Europe, to our domestic policy, or questions of trade, or improvement of our mercantile system, or to the agricultural interests of the country,—surveying all those great questions which divide men in their opinions, and animate conflicting parties and rival statesmen, I can conscientiously declare that, passing them all in review, I cannot discover one single tenet or sentiment, nay, one solitary feeling, which, practically speaking, has influenced the councils of His Majesty's Government during the last three or four years, and which did not find in my opinion a firm support, and in my feelings a faithful echo.' And a little later, on being accused of deserting the cause of Catholic Emancipation on selfish grounds, after defending his consistency, he added :—

'As it is the custom to talk of sacrifices, I may mention mine. I have quitted a situation in this House which, considering the influence of opinion and feeling, was in the highest degree gratifying to me; and in which I was surrounded and (if it may be permitted me to say so) supported by one of the largest, most important, the most honourable, and—

now I may say it, for I was privy to all their councils, and my motives cannot be suspected—the most disinterested Opposition that ever sat within the walls of this House; men who supported what they deemed right, though it kept them out of power and confirmed their adversaries in office; and who persevered in that course year after year, without a possible hope of benefit ever accruing to themselves. I have quitted that honourable and eminent situation, enough to gratify the ambition of the proudest of men, on an express stipulation which utterly excludes the possibility of my taking office. I have done so deliberately and advisedly. I shall be sufficiently gratified in watching the progress of those opinions to which I am attached, both as to our foreign and domestic policy; including with the rest the Irish question, but not giving it a prominence which would render it exclusive, and impede its success by making it unpopular in this country, by arousing the religious jealousy of the people. The right honourable gentleman has successfully established a system of liberal foreign policy. Upon these grounds I gave him my best assistance. Guided by these principles, and founding his measures on such grounds, in the course of his administration the right honourable gentleman shall have from me that which he has a right, in point of consistency, to demand, a cordial, zealous, and disinterested support.'

Shortly after the session was over Brougham went on circuit, and there heard the news of Canning's

death, finding on his return to London that the Government formed by Lord Goderich was clearly moribund.

With regard to his support of the Government of Canning, Brougham in his *Memoirs* gives some interesting correspondence. In a letter written by him to Earl Grey from Durham, August 13, 1827, he says:—‘You are aware that I have uniformly refused political office of every kind. I do this both because I can ill afford to give up a large and certain for a smaller and precarious income, and also because I think, in my circumstances, I should lower myself in Parliament and the country by accepting any place out of my profession. I adhered to this when Canning lately pressed me on the subject.

‘As for professional promotion, having declined a judicial station, nothing can remain for me except those offices which it seems the King will not, from personal objections, hear of my holding. I have therefore agreed to support the leader of the House of Commons, whoever he may be, *unconnected with Government by office of any kind*. . . . From the Government I have received only slight and annoyance in my profession. . . . As for my real individual interest, I believe no one can doubt that it is clearly, *in the present state of the House of Commons*, my game to see a weak Government. . . . But I really do think I do the right thing by preferring the anomalous and awkward position on the Hill Fort ;¹

¹ The ‘Hill Fort’ appears from another passage in the *Memoirs* to have been the third bench, behind the ministerial bench.

and on this ground I have resolved.—Believe me,
ever yours truly, H. BROUGHAM.'

Lord Grey's answer to this letter throws valuable light on the state of parties, and the political intrigue then going on, more especially when read in conjunction with those from Lord Lansdowne and others—extracts from which are here given; but those who wish to read the whole correspondence on one of the most fruitful coalitions of the pre-Reform days, should look for it in the second volume of Brougham's *Memoirs*. Of the authority of the *Memoirs*, so far as his personal recollection goes, little good can be said; but the letters contained therein are undoubtedly of enormous value to the historian who would deal faithfully with the period, and also to the biographer who would fain get what light he can on the characters of many of the great men of this stormy period.

Earl Grey wrote thus:—

'LYNEHAM, NEAR PLYMTON,
August 19, 1827.

'MY DEAR BROUGHAM,—. . . The recollections of the last session are indeed most painful, and the more so as the causes of them are, I fear, not likely soon to be removed. The difference of opinion which then produced the dissolution of the party in the support of which my whole public life had been spent, could not fail to extend itself to the

consequences of that unfortunate event; and it is a matter rather of regret than of surprise that our views of what the present state of affairs may require each of us to do should not agree. . . . I certainly, from long experience and observation of his conduct, had a rooted distrust of Canning; nor was there anything in the manner in which he separated himself from his old colleagues, or joined his new ones, that could, as I viewed it, in any degree diminish that impression. But the impossibility in which I found myself of supporting the new Government, did not arise so much from my personal objections to him as from those which I felt to the principle on which the Administration was formed. . . . In proportion as our friends might have obtained a greater share of power and influence, my disposition towards the Administration would naturally have become more favourable; but at present all reasonable grounds for confidence, on which I could give my assurance of general support, appear to me as much wanting as ever. . . . If anything should lead you northward, I hope we shall see you, and that our meeting will not be rendered less pleasant to either of us by our political separation.—Ever yours truly,

GREY.'

In Brougham's reply to this letter, the last paragraph alone is of personal interest—it was written from Brougham, September 1, 1827:—'. . . Of one thing I am clear, that whatever part I have taken, I must have the admission made to me on all hands

of having acted from motives without the slightest possible tincture of interest ; for within six weeks I have refused the most easy and secure income *for life* of £7000 a year, and high rank, which I could not take without leaving my friends in the House of Commons exposed to the leaders of different parties.

—Yours ever,

H. BROUGHAM.

Lord Lansdowne (who is generally credited with having brought the Canning-Whig coalition to a successful conclusion) wrote as follows :—

‘BOWOOD, *September 6, 1827.*

‘DEAR BROUGHAM,—You are of course satisfied with the example of passive obedience and non-resistance I have given, as you so strongly recommended it to me, and so generally to others.

‘I have as sincere a deference for your judgment as that of any man, but I think it right you should know that in the last discussions respecting an appointment which I had *first* been led to consider as *most objectionable*, by a statement of yours which had been communicated to me, I was met by the observation I could not deny, that *you* were well known to be quite ready to acquiesce in it ; precisely as in the first negotiation with Canning, in attempting to obtain some security, not for personal objects of my own, but for the public, as far as Ireland was concerned, I was met by the statement, pretty well founded, that my Whig friends in St. James’s Street were ready to join Government on any terms.

‘These circumstances increase the embarrassment of a position otherwise difficult enough. I am willing to hope for the public what has been recently done may be for the best. For my personal credit and character I must take my chance for the present, and take care of it myself for the future. I have no right to expect that it should be the concern of others.—Yours truly,

LANSDOWNE.’

This letter has been copied verbatim, as it proves, with the preceding correspondence, how great was the ‘rift within the lute’ between those Whigs who, without bribe, or *despite bribe offered and refused*, saw their way, with a clear conscience, to support a semi-Tory Government; and those who, like Lord Grey, could only see their way to ‘non-factionous’ opposition. The other letters which are quoted here are from Lord Rosslyn. In the first, dated October 27, 1827, he says:—

‘. . . You are entirely mistaken with respect to Grey and me. We are engaged with no Opposition or other political party, but disposed to persist in supporting the principles upon which we have been acting for so many years, and pursuing steadily, as we have done, the great objects to which every personal consideration has been sacrificed.

‘I am exceedingly glad to hear that you are in such constant and confidential communication with his Majesty’s servants; for I cannot help flattering my-

self that we shall soon see the result of your influence with them, and reap the fruit of your power in a decided amendment of their general system of proceeding; for hitherto every appointment that could confer power, and every arrangement of the law officers that has been thought of, have indicated a feeling most hostile to the Catholic question, and adverse to all the expectations which were held out when our friends took office.'

In another, evidently written in answer to one from Brougham, sounding him as to the possibility of his taking office, Lord Rosslyn writes, under date October 31, 1827:—

'... I therefore cannot now abandon Lord Grey, or renounce the course and principles to which we have been so long engaged. The very circumstance that he appears to have been thrown over by many of his friends, is with me an additional motive for adhering to him.

'... I knew long ago that you had been offered by Canning to become Chief Baron; but it was so obviously a desire to remove you from all political life, and—taking example, perhaps, from his own acceptance of Portugal and India—to bribe you to leave him without a rival in the House of Commons, that I never could have conceived you to be so devoid of all honest ambition as to submit to be extinguished in that manner.'

As regards this period of his career—really the

final parting of the ways—it is, surely, necessary to weigh all the evidence available very carefully, before passing an adverse verdict on Brougham's conduct. From now to the end of his career as a public man he was regarded, in spite of the sacrifices he had made, in spite of his resolute refusal of all office, in the same light as the many Whigs who, in order to better their position, had sold their conscience to the Court. That grave political differences existed between him and other leaders of the Whig party, no doubt can be entertained, but while Lord Grey was clearly of opinion that he was justified in supporting the Government, and saw in his support no desertion of Whig principles, others regarded his conduct as a base betrayal, and never forgave him for it.

When Parliament met in 1828 the Duke of Wellington was Prime Minister and Peel leader of the House of Commons; Brougham again crossed the floor of the House, and sat once more amongst the Whigs. One of his first speeches was an attack on the position of Wellington as Prime Minister and Commander-in-Chief, a position which he denounced as unconstitutional. 'Let it not be supposed that I am inclined to exaggerate. I entertain no fear of slavery being introduced by the power of the sword. It would demand a more powerful man even than the Duke of Wellington to effect such an object. He may take the army, he may take the navy, he may take the mitre, he may take the Great Seal. I will make the noble Duke a present of them all.

Let him come on with his whole force, sword in hand, against the Constitution, and the energies of the people of this country will defeat his utmost efforts. Therefore I am perfectly convinced that there will be no unconstitutional attack on the liberties of the people. These are not the times for such an attempt. There have been periods when the country heard with dismay that "the soldier was abroad." That is not the case now. Let the soldier be abroad; in the present age he can do nothing. There is another person abroad—a less important person in the eyes of some, an insignificant person, whose labours have tended to produce this state of things. The schoolmaster is abroad! And I trust more to him, armed with his primer, than I do to the soldier in full military array, for upholding and extending the liberties of his country. I think the appointment of the Duke of Wellington is bad in a constitutional point of view; but as to any violence being in consequence directed against the liberties of the country, the fear of such an event I look upon to be futile and groundless.'

His greatest effort, however, in this session, was his speech on the pressing question of Law Reform—a speech which occupied over six hours in delivery, and which traversed the whole subject of the administration of justice in England.

The conclusion of this speech is striking, the more so as it contains no sneers, no attack on individuals; it is an eloquent appeal to all his hearers to redress the undoubted wrongs under

which the country suffered :—‘There are those in the present ministry whose known liberal opinions have lately been proclaimed anew to the world, and pledges have been avouched for their influence upon the policy of the State. With them, others may not, upon all subjects, agree; upon this, I would fain hope, there will be found little difference. . . . The course is clear before us; the race is glorious to run. . . . You saw the greatest warrior of the age—conqueror of Italy—humblar of Germany—terror of the North—saw him account all his matchless victories poor compared with the triumph you are now in a position to win; saw him condemn the fickleness of Fortune, while, in despite of her, he could pronounce his memorable boast, “I shall go down to posterity with the code in my hand!” You have vanquished him in the field; strive now to rival him in the sacred arts of peace! Outstrip him as a lawgiver, whom in your arms you overcame! . . . It was the boast of Augustus—it formed part of the glare in which the perfidies of his earlier years were lost—that he found Rome of brick and left it of marble; a praise not unworthy of a great prince, and to which the present reign also has its claims. But how much nobler will be the Sovereign’s boast when he shall have it to say that he found law dear, and left it cheap; found it a sealed book—left it a living letter; found it the patrimony of the rich—left it the inheritance of the poor; found it the two-edged sword of craft and oppression—left it the staff of honesty and the shield of innocence!’

The immediate result of the debate was the issue of two Royal Commissions, the one to inquire into the procedure of the Common Law Courts, the other to inquire into the law relating to real property. The reports of these Commissions led to various Acts of Parliament, which, though materially improving the state of affairs, fell far short of the standard which Brougham had set up. Outside his Parliamentary work, the year 1828 was chiefly notable to Brougham owing to the opening of University College, London, his connection with which has already been referred to.

Brougham's career in the House of Commons was now drawing to its close, but in 1829 he and others of the Whig leaders lent valuable assistance to the Duke's Government in assisting the passage of the Roman Catholic Emancipation Act. Of the state of parties immediately before the passing of the Act, he observes:—'I have before remarked upon the singular sagacity which Lord Rosslyn displayed when, in the autumn of this year (1828), he truly conjectured the course Wellington would ultimately adopt, and the reason of his reserve: on the one hand there were the Brunswickers and rabid Orangemen, the aversion of the King, and the certain hostility of the House of Lords; on the other, the Catholic Association, with O'Connell capable of sacrificing everything to gratify his own inordinate vanity. Then Peel was believed to be impracticable, and his refusal to join the Duke in any measure of concession must end in his resignation, which would

upset the Government, and thus greatly increase the difficulties with the King. Yet Rosslyn insisted that Wellington would never run the risk of a civil war—leading to bloodshed in Ireland, and to the almost certain interference of France, only too anxious for an opportunity to revenge the humiliation of 1815.

‘All these difficulties seemed to Rosslyn to account for Wellington’s reserve, and led him to the conclusion that, supposing he meant concession, he would keep his intentions secret until the moment came for action.’

Early in 1830 Brougham was in some difficulty about his seat in the House of Commons. His patron, Lord Cleveland, was a warm supporter of the Duke’s ministry, while Brougham’s position at the time was that rather of an ‘independent member.’ On the death of Tierney, however, the Duke of Devonshire offered him the seat of Knaresborough, with complete liberty of conduct—an offer which was, naturally, immediately accepted.

On the meeting of Parliament after the death of George IV., Brougham again brought the question of colonial slavery before the House, but his motion was defeated by a majority of twenty-nine. His speech on this occasion had, he said, a considerable bearing on his subsequent return in Yorkshire.

On the dissolution of Parliament he received an invitation to stand for the county of York, but it was with considerable hesitation that he accepted, though coupled with an assurance that he should be

put to no expense. The election took place during the assizes, and Brougham, who had an unusual number of briefs, was worked hard, both in court and on his election, for nearly three weeks. Of his return he says:—‘I say now that my return for the great county of York was my greatest victory, my most unsullied success. I may say, without hyperbole, that when as knight of the shire I was begirt with the sword, it was the proudest moment of my life. My return to Parliament by the greatest and most wealthy constituency in England was the highest compliment ever paid to a public man. I felt that I had earned it by the good I had done—that I had gained it by no base or unworthy acts. I am bound to add that the feeling of gratification was general and strong in the party, both towards me personally and with a view to the good of the cause.’ In Campbell, moreover, there is a fine appreciation of Brougham’s position at this time:—‘This may be considered the proudest passage of Brougham’s life. His return for Yorkshire was the spontaneous declaration of the most numerous, wealthy, and intelligent constituency in England, that he was the fittest man to guide the destinies of his country. And he really may be said to have gained this elevation by good, without any admixture of evil arts. The honour was wholly unsolicited, and he had carried his election not only without any *scintilla* of corruption in the way of bribery or treating, but he never had resorted to the tricks or cajolery of a demagogue, and to please the

multitude he had not advanced any doctrines which were not recognised by our constitution. A little envy and jealousy may have been felt by a few of the Whig leaders, and danger was predicted to our representative system from such a violation of established usage; but the event was regarded with general satisfaction and goodwill. . . . I do not think he can be taxed with inordinate vanity in the speech which he then made, and I dare say he was sincere at the moment in the resolutions which he then announced, although he afterwards saw good reason for breaking them. Said he:—"I have denounced the Duke of Wellington, the '*general officer at the head of the Government*,' and in spite of him your liberties are safe. I am now possessed of a power (having such a constituency to support me) that will enable me to compel the execution of measures which I have only hitherto been ventilating. *Nothing on earth shall ever tempt me to accept place.* I have more pride in representing Yorkshire than I could derive from any office the King can bestow, because I have more effectual means of being useful to my fellow-citizens, and of gaining for myself an honest fame."

The great struggle which was foreshadowed during the elections was that of Reform—a struggle with which Brougham's name is honourably bound up; and when Parliament met in November, his first act was to move for leave to bring in a Bill to amend the representation of the people; but the Government being defeated on another question, the Duke

of Wellington resigned, and Earl Grey was commanded to form an administration. In connection with the negotiations which followed this event, in describing the situation Brougham says:—‘I may add that my declaration of having no intention to take office, afterwards so much commented upon, was a statement of my positive and well-considered resolution *at the time*, and that I then firmly believed my taking office to be impossible.’

The inner history of the negotiations which followed is really unknown; every historian gives an account in which personal predilection causes him to read the fragments hitherto published in favour of one person or another. Campbell, by a careful use of italics and by copious guesswork, gives it to be understood that Brougham *verbally* demanded the Great Seal; others say that he wished to be Master of the Rolls. All agree, however, that he refused to be Attorney-General. There seems to be no really valid reason for discarding his own account of what occurred, more especially as it is fairly well corroborated by most others, remembering that these others are merely guessing what his actual desires and motives were. He says:—‘And as it had been said that I should certainly refuse the Attorney-Generalship, when I went to Brooks’s in the evening of Wednesday the 17th and the day after, I was surrounded by leading men among our friends, who strongly urged upon me the duty of not refusing it. Afterwards others joined in the exhortation, and one or two came from Grey with

the same advice (Duncannon certainly), because I had all along said that I would take nothing, or that if I *must* take office, it should only be the Rolls; for if there were no other reason against taking the Attorney-Generalship, the certainty of a Yorkshire contest on taking an office which I might quit in a month, and lose a large portion of my professional income by the circuit (to which I could not return, owing to the rules of the Bar), would be enough to decide me,—but that the same objection did not apply to the Rolls; and I know that Leach, too anxious to have the Great Seal, would at once make way for me.

‘On Wednesday the 17th, just as I was getting into the carriage and going to chambers for the evening, Lady Glengall, a friend of Leach’s as well as of mine, called with a view of ascertaining whether I was a candidate for the Great Seal, as Leach was bent upon it, and feared I might stand in his way. I told her to relieve his mind from any such alarm, for I never certainly dreamed of such a thing.

‘On that same day Grey asked me if I would accept the office of Attorney-General. I said, “*Most certainly not.*” And being again pressed, I said that I wished to have no office whatever. I was member for Yorkshire, and desired to keep by that and my profession. This, I found, threw them into much difficulty. However, I remained firm till Thursday night, always assuring them of my hearty support out of office; and they as constantly saying that such support would not be sufficient for carrying

on the Government, considering my position in Parliament and in the country. At length, late on Thursday evening, I was told that the negotiation must go off, on account of my persistent refusal. I repeated that I would take the Rolls, but nothing else, as I was resolved to remain in the House of Commons, and that I would not take a subordinate place like Attorney-General.' He goes on to say that on Friday the 19th Earl Grey offered him the Great Seal, saying it was at the King's suggestion, and remarks on this:—'In fact, I more than suspect that the Tories, on going out, warned him not to leave me in the Commons, member for Yorkshire, chief of the popular party, and irremovable Master of the Rolls. In fact, I *know* that Huskisson told a friend of mine that he did not see how any Government could go on were I without office and only member for Yorkshire; but that if I had the Rolls too, I was absolute for life.' On the offer of the Great Seal he consulted Lord Althorp, who said: 'Well, I have not a word to say against your reasons and your feelings, and therefore there is an end of the matter; and you take upon yourself the responsibility of keeping our party for another twenty-five years out of power, and the loss of all the great questions which will follow, instead of their being carried.' In the end he was prevailed upon to withdraw his objections and to accept office as Lord Chancellor. In its broad outlines this is much the same story as that told by others—the main, if not indeed the only, difference being that while he tells

the story presumably knowing what his motives were, others tell the story with imperfect knowledge, and in telling it are obliged to impute motives. That the motives imputed should always be of a more or less derogatory character can hardly be wondered at, seeing that in the course of a very few years Brougham was in Parliament one of the best hated men in the country.

In concluding this account of how he became Lord Chancellor, no words can be better than those he uses:—‘ So much has been said by the Whigs of my anxiety for office, and so often have they denied the benefits I conferred on the party, that I am tempted to refer to the late Duke of Bedford’s opinion on the subject.

‘ In the winter of 1859 I had occasion to write to him, to ask him to help me in an application I was about to make to Palmerston. Among the various grounds on which I rested my claim, I mentioned to the Duke incidentally how much I had done for the party, but I chiefly urged the great sacrifice I had made for their sole benefit by taking the Great Seal; and I reminded him of the circumstances in these words: “ You may recollect the extreme difficulty they had in overcoming my objections; that I refused the Attorney-Generalship, then the Great Seal, because it would take me out of the House of Commons. I had no objection to the Rolls; but the King would not let Lord Grey offer it to me, and himself proposed the Great Seal, which I positively refused, till Grey made Althorp, Duncannon,

and Sefton over-persuade me, by declaring that the Government could not be formed if I persisted. . . . However, there was no help for it, as Grey and Althorp refused to accept my hearty and constant support out of office, when the Rolls was refused by the King. So I gave up my profession, which was secure, and took a precarious office." . . . In the course of his reply to this letter the Duke of Bedford said:—" . . I well remember all you refer to in 1830—my communication with Althorp on the subject, and what you said to me at the time, and your own feelings, and your mother's sentiments. I know also that you have devoted the best days of your life to the political service of the public; that you alone have done much more for the party than any man, and for which they owe you a debt they never can repay; that your labours to do good to the community in various ways have been unceasing, and latterly, at your period of life, wonderful. . . . I have a very accurate recollection of all that passed about you in 1830, and of the part I took in it with Althorp, unknown to you at the time, and unnecessary to repeat now. . . ."

On Tuesday, November 23, the Lord Chancellor was sworn in, in the House of Lords, and took his seat as Baron Brougham, of Brougham and Vaux—a pretension on his part which laid him open to much ridicule, one of the many gibes to which he had to submit being that 'Henry Brougham has destroyed himself, and is now *Vaux et præterea nihil*.'

On the day that he took his seat as Lord Chancellor, he laid on the table a copy of a petition to the Crown, in which he claimed a right to be summoned to Parliament as the representative of the ancient Barony of Vaux, which, he alleged, had descended to him in the female line.

It was not to be expected that his acceptance of office should pass unchallenged, and on a motion in the House of Commons for the issue of a writ to elect a member for Yorkshire, a Mr. Croker attacked him in most virulent language, calling for ' . . . an explanation of his having suddenly vacated his seat in that House by becoming Lord High Chancellor and Baron Brougham and Vaux ; which either showed a successful grasping of office by false pretences, or a sudden change of purpose unexplained and inexplicable.' In defending Brougham, Macaulay said :—'. . . And when I behold the departure of that great man from amongst us, and when I see the place in which he usually sat, and from which he has so often astonished us by the mighty powers of his mind, occupied so very differently this evening by the honourable member who commenced this assault, I cannot express the emotions to which such a contrast gives rise. An opponent who would sooner have burnt his tongue than used such language in his presence, now thinks he may rail at him with impunity !' On the following day the *Times* said :—'Mr. Brougham's appointment to the Chancellorship sustained an attack last night, in that House of which he was

recently a member, and, we might add, the great ornament. Now it may be clear that Mr., now Lord, Brougham owes an explanation of his conduct to some persons, but certainly not the House of Commons, who never elected him as its servant, and to whom he never gave a pledge of his endless services. The House of Commons, therefore, was not the place in which his conduct was to be canvassed. As to the facts and merits of the case, we suppose them simply to have been these:—That Mr. Brougham was, after some hesitation and reluctance—we should think real and unfeigned (but it does not belong to us to know the heart of man)—over-persuaded to quit the representation of the County of York for the Chancellorship of England. It is very clear that Yorkshire did not serve him as stepping-stone to the new honour, but rather stood in his way—he would have been more acceptable to the Ministry, and would have felt less aversion in his own breast to the removal, had he been the representative of an obscure borough. Nor do we see that his constituents can complain of any breach of faith on the part of their late member. He joins an administration whose very first proceeding is to give a solemn pledge of Parliamentary Reform: how, then, can he be said to have broken his promises or violated his engagements? But, at all events, the question is one for the people of Yorkshire, not the House of Commons to pronounce upon.’ His own defence, in the House of Lords, a few days later concluded thus:—‘. . . When I accepted the high

office to which I have been called, I did so in the full and perfect conviction that far from disabling me to discharge my duty to my country, far from rendering my services less efficient, it would but enlarge the sphere of my utility. The thing which dazzled me most in the prospect opening to my view was not the gorgeous splendour of the place, but that it seemed to afford me, if I were honest—on which I could rely; if I were consistent—which I knew to be matter of absolute necessity in my nature; if I were as able as I was honest and consistent—a field of more extended exertion. That by which the Great Seal did dazzle my eyes, and induced me to quit a station which till this time I deemed the most proud an Englishman could enjoy, was that it seemed to hold out to me the gratifying prospect that in serving my King I should be better able to serve my country.'

And again, at Leeds in April 1831, Brougham, having received the freedom of the City, in returning thanks for the honour, said that 'as allusion had been made to the situation he had lately held as the representative of this great county, he would say a few words on the sudden and unexpected disruption of that tie. He should always consider the day which placed him in that situation as one of the proudest in his life, and that honour, high as it was in itself, was rendered by the peculiar circumstances under which the election took place, of the greatest conceivable value in his mind. But he doubted much whether, in respect to personal power and influence,

he did not possess more as the member for Yorkshire (applause). But as his declining to take office under the then difficult circumstances might have thrown an insuperable obstacle in the way of completing the administration, he thought it his duty, however painful the sacrifice was to his own mind, to resign the high honour which had been so recently conferred upon him, and now, having seen his former constituents for the first time since that event, he was consoled with the thought that his old friends were unchanged towards him, as he knew himself to be unchanged and unchangeable towards them; and in any change of circumstance that would occur, whether he was in or out of office, in whatever situation he might be placed, he should always consider himself as substantially and virtually the representative of Yorkshire.'

The Reform Bill, which the Ministry was pledged to pass, was, after many discussions, referred to a committee consisting of Graham, Durham, Duncan-non, and John Russell, who carefully considered the various schemes submitted to them and reported in detail to the Cabinet. The outline of the proposed Bill was then submitted to the King by Lord Grey, who approved of it generally.

When Parliament reassembled, one of the first Bills was introduced by the Lord Chancellor—a Bill for the Reform of the Chancery Court and its procedure, and proposing the abolition of many sinecures; but the serious work of the session was Reform, which alone attracted the attention of the

country and of Parliament. While the Bill was passing through the House of Commons it was almost daily debated in the House of Lords, these debates being initiated by the presentation of petitions, the Lord Chancellor defending the principle of Reform with his usual ability, and violently attacking the Anti-Reform peers. In the House of Commons the Bill met with faint support, the second reading was carried by a majority of *one* only, and on April 20th the Government was defeated in committee on the Ordnance Estimates. On April 22nd Parliament was prorogued, a scene of great disorder occurring in the House of Lords. The Government, according to Brougham, had for some time been anxious to find a pretext for dissolution owing to their dissatisfaction with the support accorded them in the House of Commons, but were afraid that should their intention become known both Houses would present an address to the King praying him against taking such a step, in which case they were convinced that the King would decline to do so. By keeping their decision secret to the last moment, and hurrying on all necessary steps, they avoided this danger, even though at the cost of much dignity.

The *Times*, April 23, 1831, in its summary says: 'April 22. The Lords at 3 o'clock—The King prorogued Parliament—Riotous proceedings—The Lord Chancellor entered previously to the arrival of the King'; and in the leading article:—

'Lord Mansfield denounced as atrocious and

unprecedented the conduct of ministers in advising the King to dissolve the Parliament under the present circumstances.

'The Lord Chancellor in a loud, firm voice, and with great energy of manner, exclaimed: "What! unprecedented for a King of England to exercise his undoubted prerogative of dissolving the Parliament, when the House of Commons in a manner unparalleled in the most factious periods of English history have stopped the supplies!" This indignant exclamation was received with loud cheers, but the opposition party were vociferous in exclamations against the ministers. The King having by this time arrived in the robing-room, the Lord Chancellor left the House.'

Never was a dissolution better justified by results than this one—an enormous majority in favour of the Bill was returned to the House of Commons, and when Parliament met it was clear that the sole hope of the Anti-Reform party lay in the House of Lords—that House resolutely continued its opposition to the Bill, and for long the issue was doubtful. In the Lords the Chancellor was severely taken to task for his share in the recent dissolution, but defended himself with his customary ability:—

'It has been asserted, my Lords, that I threw my hat on the woolsack and flounced out of the House in an unbecoming manner at a time when I knew that the King was not nearer to the House than the Horse Guards. I did not leave the House, however, until I received a positive order from the

King, communicated to me by the Gentleman Usher of the Black Rod, in these words: "*The King doth command the Lord Chancellor instantly to give his attendance upon his Majesty, who waits at the bottom of the staircase.*" The person who had a right to be offended with me on that occasion was the Gentleman Usher of the Black Rod; and he, finding me slow to obey his summons, pulled me, with his usual courtesy, by the sleeve, and added, "Did you hear what I said? The King has arrived, and is at the bottom of the staircase." So far from the King being at the Horse Guards, I can assure your Lordships that upon this remonstrance I went as fast as I could to the bottom of the staircase, and found his Majesty there waiting for me. I hope it is perfectly unnecessary for me to assure your Lordships that I would not have quitted my post in this House upon any fictitious pretence whatever. It might have been *impar congressus*, but I would rather have stayed and broken a lance with the noble Earl if imperative duty had not called me away.'

While the Reform Bill was being carried through its stages in the House of Commons, Brougham was occupying his time in the Chancery Court, and at the rising of the Courts at the end of Trinity Term wrote to the King as follows:—

'BERKELEY SQUARE, *September 1, 1831.*

'MOST GRACIOUS SOVEREIGN,—I humbly crave permission to lay at your Majesty's feet the report

that your Majesty's High Court of Chancery has this day been adjourned to Michaelmas term. It is, Sire, a matter of unspeakable satisfaction to me that I have been enabled to dispose of every cause and every kind of business which was ready for hearing, and that, except one or two things in which all the parties desired time, being unprepared to proceed now, every matter brought into the Court before the first of July last has been fully heard. All the cases, too, except a single one upon the construction of an obscure will, heard the night before last, have been decided as well as heard. I have therefore the gratification of reporting to your Majesty that there is an end of all arrears in Chancery, and that a continuance of the same system, aided by the extreme diligence and perseverance of their honours the Master of the Rolls and the Vice-Chancellor, will effectually prevent any arrear from again accumulating.

'I humbly crave your Majesty's pardon for thus presuming to lay these particulars before your Majesty. But I know your Majesty's paternal care of the best interest of your subjects will plead my excuse; and I have further to express my sense of your Majesty's great goodness in dispensing for three weeks with my attention upon your Majesty's Court, which has materially aided my efforts in Chancery.

'All which is most humbly submitted by your Majesty's most dutiful subject and servant,

BROUGHAM, C.'

This letter, if the facts of the case really bore out the statement, shows that the Chancellor certainly needed no further excuse for his acceptance of office; and all contemporary accounts are agreed as to his extraordinary diligence on the bench.

Meantime in the Commons the battle of Reform was being fought, and on September 22 the Bill was sent up to the House of Lords. The debate on the second reading of the Bill commenced on the 3rd October, and on the fifth night of the debate Brougham delivered his speech—the speech which he himself considered the best of his life—employing with great effect his wonderful memory and every weapon in his armoury of rhetoric. The peroration, however, instead of being so powerful as was usually the case in Brougham's speeches, was probably the weakest portion of it, and was delivered in a theatrical manner:—

‘Among the awful considerations that now bow down my mind, there is one which stands pre-eminent above the rest. You are the highest judicature in the realm; you sit here as judges, and decide all causes, civil and criminal, without appeal. It is a judge's first duty, never to pronounce sentence, in the most trifling case, without hearing. Will you make this the exception? Are you really prepared to determine, but not to hear, the mighty cause upon which a nation's hopes and fears hang? You are? Then beware of your decision! Rouse not, I beseech you, a peace-loving but a resolute people; do not alienate from your body the affections of a

whole empire. As your friend, as the friend of my order, as the friend of my country, as the faithful servant of my Sovereign, I counsel you to assist with your uttermost efforts in preserving the peace, and upholding and perpetuating the constitution. Therefore I pray and exhort you not to reject this measure. By all you hold most dear—by all the ties that bind every one of us to our common order and our common country, I solemnly adjure you—I warn you—I implore you—yea, on my bended knee (he kneels) I supplicate you—reject not this Bill !’

The effect of this speech was marred by the end—the Chancellor kneeling! He whose greatest triumphs had been won, not by prayer and supplication, but by mighty blows and sounding threats—kneeling! Alien alike to the orator and to the assembly he was addressing, the action produced a feeling of ridicule, and a very natural doubt as to the sincerity of his attitude. The Bill was rejected by a majority of forty-one votes.

The effect of the vote on the country was immediate; the House of Commons and the country alike bent on reform, the House of Lords openly and the King certainly hostile: it seemed as though an armed revolution were certain to take place, and in many places violent rioting occurred. Long and anxious were the consultations between the Ministers, who at last determined to reintroduce the Bill, and get the consent of the King to create a sufficient number of peers to render its passage through the House of Lords safe, should such a

step prove necessary. This decision was strongly opposed by some, reluctantly agreed to by many; and it is probable that the division of opinion among the Whig leaders on this point laid the foundation for those jealousies and misunderstandings which so soon broke up the party.

The negotiations between the Whig leaders on this question of the creation of Peers were very difficult, even after the principle had been conceded. In December Brougham wrote to Lord Grey:—

‘BROUGHAM, *December 29, 1831.*

‘MY DEAR LORD GREY,—I received your letter yesterday, and though it did not set me upon considering a subject which I have almost exclusively been thinking of since I saw you, it makes me give you the result of my deliberations.

‘Everything I have either seen, heard, or considered since the last Cabinet I attended, convinces me more and more of the course we ought to take—namely, to begin with a partial creation, say of ten or twelve—some to be made, others, the greater part, called up—as, for example, say four creations and eight calls. . . . As for the numbers—if only three or four are new peerages, I should not quarrel with fifteen in all.

‘From this I expect a confident belief to get abroad, first at Court, then in the Lords, that you can make as many as you please, and this *may* prevent the necessity of making many, perhaps any, more. But I think we must go further, and con-

template the *possibility* of that necessity as not a very remote possibility, and we ought, I clearly think, to be prepared for it. . . . It is also very likely that we may, on the eve of the second reading, discover that our force is short, and that more peers are wanted. Now, as I assume the absolute necessity of our not allowing the Bill to be lost in any way, and that when the time comes (if it should come) for a second creation, we must be prepared to press it, I think it follows that an understanding should be come to with the King before that time arrives, and that we should not delay until we find it necessary to press the immediate creation.

‘*First*, as to what this understanding should be.

‘It appears to me that you should signify to the King the absolute necessity of the Bill being carried, and that this is the only means of preventing confusion; . . . that his servants think it quite necessary to submit to him this their conviction, and hope he will allow them to say that with these views, they rely upon his sanctioning such a creation as may be found sufficient to insure the passing; that the necessity of making any more, and, if any, the number required, can only be known when the second reading approaches, but that it would be extremely unfair to him not to express ourselves thus early, and to express a hope that he feels with us the necessity of doing whatever may be requisite.

‘*Secondly*, as to the time when you should come

to this understanding. It can only be, either now, when you propose the partial creation, or afterwards, when the Bill comes up.

‘I strongly incline to the former. It is far better to do it all at once, infinitely more comfortable for yourself, and far more fair towards the King, to whom, I must say, we owe both personally and politically as much as Ministers can owe to a King, or indeed any set of men can owe to any individual. But I also think the earlier time very important for the success of the whole measure. If it *can* be carried without a fresh creation (I mean beyond the first, which I don’t regard at all as making peers to force the Bill), every one must allow it will be a great advantage; and I feel quite persuaded that no sooner is such an understanding come to, than the courtiers will smell it out, and so the necessity of acting on it may in all probability never arise.

H. BROUGHAM.’

This letter, putting forward a really statesmanlike view of the position now obtaining, can best be balanced by another, written to Lord Grey by Lord Durham—a letter which it is not *possible* to abbreviate, a letter of such close and weighty reasoning that all should study it, as showing the many matters which, of necessity, must be taken into consideration when dealing with a position so full of delicacy and difficulty. The close reasoning and clear diction, leaving no room for misapprehension of the writer’s views, are alike admirable:—

'SUDBROOK PARK, *December 29, 1831.*

'MY DEAR LORD GREY,—I feel it incumbent on me no longer to delay declaring to you my decided opinion that the Government ought to advise the King to create a sufficient number of peers to insure the passing of the Reform Bill.

'I conceive that not only were we pledged to the country to propose a measure of Reform as extensive as the last, but, as a necessary consequence, are bound to take every means in our power to further the passing of that measure in the same form as that in which we introduced it, as to extent and efficiency.

'To consent to or connive at any other course of proceeding, would not only be a breach of our pledges, but a gross act of duplicity. It would be a mockery to carry the Bill through all its stages in the Commons by large and increasing majorities—resisting their every attempt to impair its efficiency or modify its provisions—and then propose it for a second reading in the Lords, with a probability of being again defeated, but at any rate with the certainty that we shall be so weak in the committee as to be unable to resist not only those alterations which we had successfully defeated in the Commons, but also additional encroachments on the efficiency of the Bill, which would no longer enable us to assert that the principle of the measure had been maintained.

'Then also would come the great responsibility of deciding whether we should propose to the Commons

an acquiescence in the mutilated Bill, or its total rejection, in consequence of its being no longer the same measure which we had recommended to the King and proposed to Parliament.

‘I say, therefore, that the adoption of those means which are necessary to insure to us a majority in the committee, as well as on the second reading, is absolutely essential to the honest redemption of our pledges to the country—pledges which, I repeat, are not merely limited to the introduction of the Bill, but must extend to and affect every stage of it until it has received the royal assent.

‘To insure that successful issue we have already the King’s approbation, and a declared and overwhelming majority in the Commons. Our weakness lies in the other branch of the legislature. There we were defeated before, and there again consists the danger. It is now, I believe, admitted that all hopes of conversions sufficient to enable us to carry even the second reading are abandoned; and even the few conversions which are expected, no one asserts will be of the slightest advantage to us in the committee. We may, therefore, fairly anticipate that we shall find a majority of twenty against the Bill on the second reading, unless it is suffered to go into the committee without a division, for the purpose of more quietly destroying it there; in which case we should then, as before, be met by the original majority of forty, if not more, on all questions affecting the vital part of the measure.

‘Are we, then, prepared to carry the Bill into the

House of Lords in these circumstances, knowing, as we must do, that its rejection or mutilation is thus inevitable? Ignorance of these facts and their consequences we cannot plead; and indeed they are not only notorious to ourselves, but are the subject of general remark and discussion.

‘If we are not prepared to pursue this line of conduct, as I trust we are not, there is but one other to adopt, namely, a large creation of peers.

‘To this proceeding several objections have been stated, to which I shall now call your attention.

‘First, It is asserted that the carrying the measure by such means is unconstitutional. This I deny. I believe it to be in accordance with the best principles of the Constitution.

‘The King’s power of creating peers is unlimited and undeniable. In the exercise of that privilege he is absolute and uncontrolled by the forms of the Constitution. It can then only be the motives which are supposed to influence that exercise, and the effects which follow it, which can be impugned as unconstitutional. Prerogative is defined to consist in the discretionary power of acting for the public good, when the positive laws are silent. If that discretionary power be abused to the public detriment, the prerogative is exerted in an unconstitutional manner.

‘If, on the other hand, it is called forth for the public advantage and the safety of the State, it is as wise and just as it is constitutional.

‘How, then, tried by this test, does the present case stand?

‘The King has recommended, the House of Commons has adopted, and the country sanctioned, a measure which the House of Lords alone seems determined to reject.

‘That harmony which, therefore, ought to exist between the three branches of the legislature is interrupted, and the confidence and attachment of the people is shaken. This cannot be remedied by an acquiescence in the objections of the one opposing branch; the utmost that could be attained thereby would be delay, attended necessarily by incessant irritation. The other alternative, therefore, remains, to which I have before adverted, and the adoption of which, in order to produce that harmony in the three powers of the State by the exercise of a recognised, admitted prerogative, can be no violation of the Constitution, but is in strict accordance with its fundamental principles.

‘If, indeed, the case was different, and the King were advised to create peers for the purpose of defeating the declared wishes of the Commons and the country, and the ascertained intentions of the Lords, not only an unconstitutional, but an unnecessary act would be counselled—unconstitutional, because perpetuating dissensions between the two Houses, but unnecessary, because the same object could be attained by a refusal of the royal assent.

‘Secondly, It is said that the House of Lords

would be destroyed by such an increase of its numbers.

‘To that I answer that, by calling up the eldest sons of peers, we shall not eventually increase its numbers to any great amount ; but even if we did, I apprehend no danger from the House consisting of 450, or even 500, instead of 418 members. Neither its votes nor its deliberations would be deteriorated by the accession of talent, property, and liberality of opinions. On the contrary, the creations made under the Pitt system render such an adjustment of the balance absolutely necessary, not only for the carrying of this particular measure, but for the support of those principles of freedom and constitutional government, without a strict adherence to which no Administration can now pretend to acquire or retain the confidence of the King or the people. As at present constituted it is evident that the House of Lords is not in unison with the spirit of the age ; it is opposed to the King and the people. Hence arise, on the part of the latter, complaints, discontent, and doubts, openly expressed, whether its existence is not incompatible with the happiness and welfare of the country. To check at once these opinions, and to remove these doubts by enabling the House to assume an attitude more in consonance with the general feeling, would be surely an act tending not to its destruction, but to its preservation.

‘Thirdly, It is feared that a creation would not answer the purpose we have in view, because so

many peers would be so disgusted at the addition to their numbers, that they would be impelled to oppose the Bill. I cannot believe that such will be the case, because, until I witness the fact, I cannot imagine that any peer, having voted for the last Reform Bill on the ground of its being a measure essential to the prosperity of the country and safety of the State, would vote against a similar Bill now, solely because to him had been added a sufficient number of colleagues to prevent his vote from being a second time rendered useless and inefficient.

‘Besides, he would be aware that no vote of his against the Bill would remedy the evil of which he complained ; his change would therefore be useless as far as regarded the creation of peers, and most mischievous in respect to the consequences which he must be conscious would follow a second rejection of the Reform Bill. Any desertion, therefore, of the Bill by reformers on account of a creation, would be so notorious a violation of principle, without the slightest consequent advantage, that I cannot believe it possible.

‘For these reasons, and on these grounds, I have formed the opinion which I announced to you at the commencement of this communication ; and I cannot conclude without declaring my conviction, that on the adoption of this measure depends not only the character of the Administration, but the preservation of the country from civil commotions of the most alarming and dangerous nature, etc. etc.

DURHAM.’

In the course of a letter written to the Chancellor, January 1, 1832, Lord Grey referring to this question says:—

‘ . . . I have come nearer to your view of the matter of the peerage than I thought I ever could have done ; and am much inclined to new creations at present, or before the meeting of Parliament, to the amount and in the manner you propose. But there will be a great difference of opinion in the Cabinet upon it. A letter from Lansdowne shows that his objections are not at all diminished. He comes to the Cabinet to-morrow. Palmerston and Melbourne are equally opposed to it. The Duke of Richmond also is against it, but I do not think his objections so insurmountable as they appeared to be some time ago. If this difference of opinion should go the length of producing resignations, you will perceive that it would be quite fatal.

‘ But there is another and a greater difficulty on the part of the King. You know how strong his objections were. Finding them supported by so many members of the Cabinet, he is less likely to give way. He expresses great confidence, too, in our being able to carry the Bill on the second reading, and—without any alterations that could be considered as affecting principle or real efficiency—through the Committee. This belief, proceeding, as I conjecture, from the general language that has been held to him by some of the anti-reformers, will encourage at least in postponing any determination till we shall have better means of judging of the

disposition of the House of Lords. In short, this question assumes a very embarrassing shape, and I hope it will not be long before we have you here to assist us with your counsel ; for though your opinion is very fully and very clearly stated in your letter, there is nothing like personal discussion. . . .’

After a short recess the Reform Bill, with very slight alterations, was reintroduced, and passed the House of Commons with little opposition. In the Lords, however, it was again hotly opposed, and the Chancellor had need of all his strength. He concluded a closely reasoned speech thus :—‘Do not, my Lords, let any man among you deceive himself with this belief. I tell you that the anxiety of the people has not gone by, that it exists as strongly and as intensely as ever, with this only difference, that it has stood the test of disappointment and long delay—of the hope deferred that maketh the heart sick. Rely on it that from one end of this land to the other, the people—the intelligent, the thinking, the rational, the honest people—not merely of this metropolis, but of every town, village, and hamlet in England, and, if possible, still more in Scotland, hang with breathless suspense upon your decision this night. I hope, I confidently believe, indeed I expect with certainty, that the decision will diffuse universal joy throughout the empire ; that it will terminate the painful suspense with which this Bill has been so long regarded, and above all, that it will greatly increase towards your Lordships the affections of your fellow-citizens.’

The second reading was carried by a majority of nine.

When the Bill was taken in committee, it was realised that the real struggle had commenced, and Ministers were already concerning themselves with the question of what modifications, if any, could be permitted in the Bill, without essentially changing its character and causing the Ministry to lose the faith of the people. The action of the Opposition, however, was unexpectedly extreme—Lord Lyndhurst moved the postponement of the first clause (Schedule A.) till after the disfranchisement clauses had been disposed of, supporting his motion by a speech in which he attacked all proposals for disfranchisement in a most violent manner. Lord Grey, in reply, said that the carrying of the motion must of necessity be treated by Ministers as being the equivalent of the rejection of the Reform Bill on its second reading. The Tories strongly demurred to any such view of the case being taken, but Lord Grey was firm, and the Whigs being beaten on a division, the further proceedings were immediately adjourned, Lord Ellenborough announcing that, if called upon to form a Ministry, the Tories would carry the Bill, with certain amendments. After their declaration the Whigs were confidently expected to resign office, but seeing the state of parties, and of the country, they determined to approach the King once more, and attempt to obtain his consent to the creation of sufficient Peers to enable them to carry the Bill without alteration.

Lord Grey and the Chancellor went to Windsor together, to lay the proposals of the Cabinet before the King; but when he heard the number of peers they recommended him to create, the King saw them, and promised them an answer on the following day. Brougham says:—‘Next day the King sent an answer, accepting our resignation, and refusing to consent to the large addition to the peerage which Grey and I had proposed to him. Lord Grey in the Lords, and Althorp in the Commons, that evening (9th of May) announced that Ministers had resigned.’

In his *Memoirs* Brougham states that the King offered him the position of Premier, and that it was only after his refusal that the Duke of Wellington was commissioned to form a Government. In this attempt the Duke was unsuccessful, the absolute necessity of carrying some measure of Reform, and the dislike of the Tory peers to any such measure, being insuperable obstacles in his way. Under these circumstances the King was compelled to send for Lord Grey once more, and reluctantly consented to any reasonably necessary creation of peers for the purpose of carrying the Bill, this consent, in order to satisfy the Lord Chancellor, being given in writing.

In the House of Lords Brougham gave a most significant hint to the Opposition, which was entirely successful in its object. He said:—‘I do not mean to occupy your Lordships’ time by adding a word to what has dropped from my noble friend, except

to state that which I am sure was passing across his mind when he addressed your Lordships—that considering the absolute necessity, in the present state of the country, of passing this measure, we shall not again return to office except upon the condition not only of our possessing the ability to carry the Bill efficiently through the House, but also to carry it with every reasonable despatch.’

Without in any way being reconciled to the provisions of the Bill, the Opposition saw it was really necessary that it should pass. Many therefore absented themselves from the further proceedings, and the Bill, rapidly passing the remaining stages, became law, when Parliament was prorogued—the last of the Unreformed Parliaments.

At the General Election the Whigs were returned in overwhelming force, but before Parliament met the seeds of dissension had already been sown in their ranks. The state of Ireland had been going from bad to worse, agrarian crime was rampant, the administration of justice was impossible owing to the refusal of witnesses to testify—of juries to convict; and how serious were the differences in the cabinet may be seen by the following letter from Brougham to Lord Grey:—

‘(Private.)

‘ December 1832.

‘ MY DEAR LORD GREY,—I *hope* we shall be able to keep together till Parliament meets; but I don’t think it easy, and don’t expect it. The difficulty

is extreme, and I never saw much good come of putting off the evil day without the most remote chance of circumstances changing during the delay.

‘I see the bishops are going to meet, and I beg that the Church reform papers may not be shown to any of our colleagues. There is no other way of preventing the whole plan from being destroyed almost before it is prepared. If it is kept equally from all, no *one* can have any right to complain. You and Althorp, and no one else, has seen them.—
Yours ever, H. BROUGHAM.’

Brougham's fears at the time appeared to be unfounded, though continuous correspondence took place on the changes which he recommended, and the situation in Ireland grew steadily worse. Some of Brougham's proposals would have necessitated changes in the cabinet, and those who would have been affected can hardly have felt too friendly towards him. In spite of friction and dissension, open or undisclosed, ministers met the new Parliament with an appearance of unity. In the King's Speech the passage dealing with the state of affairs in Ireland was supposed to have been written by Lord Brougham himself—strange irony of fate that one who had been a lifelong believer in liberty of the person and the press should now be called upon to foreshadow the almost complete suspension of those liberties owing to their being confounded with ‘license’ by the people! The speech said:—‘It is our painful duty to observe that the disturbances in

Ireland have greatly increased. A spirit of insubordination and violence has risen to the most fearful height, rendering life and property insecure, and threatening the most fatal consequences if not promptly and effectually repressed. I feel confident that to your loyalty and patriotism I shall not resort in vain for assistance in these afflicting circumstances.' The Bill for the suspension of the Habeas Corpus Act and the establishment of courts-martial in Ireland was introduced by Lord Grey, and warmly defended by the Chancellor; it easily passed the House of Lords, but in the following year it was the direct cause of the fall of Lord Grey.

During the session of 1833 Brougham was mainly engaged in carrying out his scheme of Law Reform, passing an Act which abolished many sinecures, also the ecclesiastical Court of Delegates (for which it substituted the Judicial Committee of the Privy Council), and introducing a Bill to establish County Courts, this latter being defeated and a much-needed reform long delayed. His temper at this time seems to have been of the worst, and with that abundant lack of tact and good taste for which he was notorious he continually offended not only individuals but whole classes of people. One jibe of his was parodied with great effect against him before long. The jibe itself was a cruel one, directed against his own profession. The Warwick Disfranchisement Bill coming up from the Commons, he moved that counsel should be heard, as is usual, but when the order had been made he observed: 'It will be necessary for the

House to *name* the counsel by whom it would be assisted; if not, all Westminster Hall may be let in upon us. There is now an order generally that counsel may be heard, and any one gentleman, or score of gentlemen, *on the lookout*, may come dropping in under the cover of that general order for the purpose of being engaged as counsel. A more absurd course could not be followed.'

This session the Bill for the Abolition of Slavery was passed, and Lord Brougham rendered it valuable assistance in the House of Lords, though, a scene having occurred during the session between the Lord Chancellor and H.R.H. the Duke of Cumberland, the Chancellor could not forbear the opportunity offered by a speech on the Bill of insulting his opponent in a peculiarly subtle manner:—

'It would give the man of colour as clear a right to sit in that House (if his Majesty should so please) as either of the illustrious Dukes now present [Wellington and Cumberland], whether the illustrious Duke who is illustrious by his deeds, or the illustrious Duke who is illustrious by the courtesy of the House.'

When Parliament rose Brougham went to his house in Cumberland, and there once more engaged in his old philosophic pursuits. Soon, however, more serious matters claimed his attention, and Brougham's *Memoirs* of this period are full of letters passing between himself and his various colleagues, wherein their difficulties are freely discussed. These difficulties were great indeed, covering nearly every

phase of policy whether foreign or domestic, and also a difference of opinion with the King—the latter owing to a new proposal on the part of ministers to create peers sufficient to give them a majority in the House of Lords, or at least such a number as should suffice to show the King's intention to do so, should the Lords show any further disposition to harass the ministry and throw out their measures. Added to this, Lord Grey was anything but confident of his ability to meet Parliament again, and in view of the charges so freely brought against Brougham, and so generally believed in, as to his 'intrigues' against Lord Grey, the following letters are interesting:—

TO THE EARL GREY

'January 14, 1834.

'Your colleagues most earnestly entreat you to suspend any resolution which you may have formed in consequence of the discussion that took place this morning.

'They consider the entire and immediate dissolution of the present Government as the inevitable consequence of your resignation, and they do most solemnly assure you that this representation is not made to you merely from the respect and affection which they all so entirely bear towards you, but from their anxious wish to continue to serve the King and the country with you. You require no proofs that such are their sentiments. But their present representa-

tion is made from their deep and settled conviction of the fatal consequences which must instantly ensue, from your resigning, to the best interests of the country.

Brougham.	Vassal Holland.
Lansdowne.	Althorp.
Ripon.	J. Russell.
Richmond.	E. G. Stanley.
Melbourne.	J. R. G. Graham.
Palmerston.	C. Grant.'

TO EARL GREY

'(Private.)

'January 15, 1834.

'MY DEAR LORD GREY, — Before you go to Brighton (upon a much more serious expedition than even those you and I have had together at Windsor), I must write two lines in consequence of a word or two that fell from you to-night, and which I did not sufficiently attend to at the moment. I mean what you said about "not being able to see why a Government should not be formed," etc. etc.

'Set your mind quite at rest on that score. The thing is out of the question. I have long made up my resolution to give myself my discharge when you go, and I am not very likely to break through my intention on an occasion like this; and others, I know, are of the same determination. But that is nothing. If we would, I KNOW and can *demonstrate* to you that the thing is utterly impossible. The moral of my tale is this—That we must make a wry

face and gulp it—which I feel to be bitter, but it cannot be helped ; and if ever there was an occasion in which it was more especially the bounden duty of us both (but I speak of *you*, and only of myself as your companion) to sacrifice every personal feeling, it is this very time and circumstance, when we look at inevitable consequences to *country*, *friends*, *principle*, and party.

‘ My perfect conviction is that Althorp, Melbourne, Stanley, and even Grant, and I should almost say Richmond, will go as far as we can take them *short of troops*, and that even on that their repugnance is for the present and in this stage merely—at least the first three, and the most important, I may say, I know to be of this mind.—Good-night, and believe me ever most sincerely and affectionately yours,

H. BROUGHAM.’

Lord Grey answered this letter from Brighton, whither he had gone to hand in his resignation :—

‘ (*Private.*)

‘ BRIGHTON, *January 16, 1834.*

‘ MY DEAR CHANCELLOR,—I could neither encounter the responsibility laid upon me by your paper, and the wishes expressed by all my colleagues, nor resist the earnest representations of the King. I have therefore, at a sacrifice of personal feeling, and I fear of what is more to be considered than personal feeling—greater than I can describe—agreed to remain. God grant it may end well, but I have little hope of it.—Ever yours, GREY.’

By Grey's decision in this case it became possible for the Whigs once more to meet Parliament, but the circumstances were indeed changed since their triumphant return after the passing of the Reform Bill.

The ministry, disunited on many points, had the unfailing animosity of the Tories, the distrust of the Radicals, and the sullen but seething discontent in Ireland to face, and when Parliament opened it was speedily made manifest that they could not for long hold together.

One of the earliest subjects of debate in the House of Commons was the Pension List, and the discussions on this, with the many sinecures and pluralities disclosed, were even more damaging to the Whig Government than the Irish Coercion Bill. Campbell having been promoted Attorney-General, had to stand for re-election at Dudley, and was badly beaten. As showing the feeling in the country, the following quotation from his *Life of Lord Brougham* is valuable :—‘ In my next interview with him, at the end of six days, I had to relate to him that I had been dreadfully beaten,—that the electors of Dudley were all exasperated against the “base and bloody Whigs,” who, having surrendered Ireland to martial law, now, by defending the Pension List, showed a determination to devote the public revenue raised by the sweat of the people to the support of the poor relations of wealthy Peers, and to perpetuate all the corrupt practices which had prevailed before the *mock Reform Bill*.’ The

loss of the services of the Attorney-General in the House of Commons was a great blow to the Government, and retarded the consideration of further projects for legal reform very considerably—it was not until some months had elapsed that Campbell got a seat, being elected for Edinburgh in place of Francis Jeffrey, the Lord Advocate, who had been elevated to the Bench. Meantime the House of Commons was discussing a Bill for the amendment of the Law of Libel introduced by O'Connell. This Bill, which the Government wished to defeat, was of a distinctly popular character, abolishing all informations for libel, whether by the Attorney-General or the Court of King's Bench. To avoid further exasperating popular feeling by a formal opposition to the Bill, the Government decided to refer the whole Law of Libel to a committee, but under the circumstances the only person who could move this course on their behalf was Pepys, the Solicitor-General. Brougham at the time was ill, but, knowing Pepys to be practically ignorant of the whole subject, sent for him and primed him with information—even going so far, according to Campbell, as to give him all the heads of his speech, as well as facts and illustrations in support of the motion, so that to all intents and purposes he spoke once more in the Commons by proxy, the motion being carried.

As the session proceeded the difficulties of the Government became more and more acute, and dissensions arose in the cabinet which were not capable of adjustment—in fact, the great Reform Ministry

was tottering to its fall. On April 30, 1834, Brougham wrote a long memorandum on the condition of affairs from which the following quotations are taken :—

‘The Chancellor feels so deep an anxiety upon the present state of the Government and the country, that he considers it his indispensable duty to state his views to his colleagues, and to assure them, first of all, that he has no feeling whatever but that of the most entire confidence in their integrity and good intentions, and the most earnest desire to continue as heretofore, acting with them for the benefit of the public service. . . .

‘On any question of individual conduct or feeling, surely each of the ministers should keep steadily in view the end to which everything tends that endangers this Administration. To submit to many things—to bear and forbear—to undertake tasks alien to his inclinations—to *do all but abandon principles*—appears to be every minister’s duty, until a better prospect shall open of replacing this Government. No one of its members has, perhaps, more reason personally to desire the ease which such an event would bestow on him than the writer of these pages. . . . When he says that, besides sitting daily in court seven hours, he is never in bed before two, and that he has since November written with his own hand above seventy long judgments, some of which took an hour, and some two, to read, and all of which would fill two very large printed volumes—he is far from desiring to boast of hard work ; but

he makes the statement as an irrefragable proof that he must have a singular taste to love such an existence. . . . But he does not hesitate in abandoning all such schemes of enjoyment, and continuing a drudge. Neither does he hesitate in postponing or suppressing any opinion, how deeply soever he may feel it, which could by possibility raise any difference with any one colleague, and thereby in any degree weaken the Government. Then what other recourse can his Majesty have than this, that part of the present Government remain and form a new Administration? But this implies that others should join them who are neither of the Conservative nor Radical persuasion. The Chancellor knows of none such, at least none who would lend the Government the requisite strength to support itself after losing such men as may be supposed to retire upon unfortunate differences of opinion respecting Ireland. For the mere alteration would be the source of great weakness in both Houses and in the country, and those who had left the Ministry would in a very short time be more or less unfriendly to those who remained. This is almost unavoidable, even among the best and the most friendly men; and as a pointed discrepancy of opinion on important matters will have secured their disunion, the breach will be the more apt to widen. . . .

‘He desires to speak with all the respect and gratitude which he sincerely feels towards the first Reformed Parliament, whose wisdom and honesty he thinks would have done honour to any senate in

any times. But he cannot avoid perceiving that the moderate courses pursued by the Government, and the influence of the Government over the members, have alone restrained them from adopting much stronger measures than the safety of the country and the stability of some of its institutions will at all allow. . . .

At Lord Grey's request Brougham saw the King and explained his fears, after which he wrote :—

TO EARL GREY

‘(Private.)

‘May 2, 1834.

‘I have just seen the King.

‘The King is in the strongest and fullest sense of the word cordial with the Government, and as warm and hearty in his wish to support us as any one man can be. I cannot tell you half the things he said of you—of your honour—*your being incapable of deceiving him*, or of any change NOW, except the filling up the two or three vacant places. He really reviewed all our measures, foreign and domestic, and all those now pending, in a very distinct and friendly manner, and said, “Never man had better cause to like a Ministry, though he once or twice had differed, and once only on foreign politics, when he luckily proved wrong.”

‘In short, I never saw him half so cordial and so naturally cordial. It is not merely as fearing a change, but from confidence and goodwill. He expressed himself about you in a way that (from

regal pride) he may make less strong to yourself. But to me it was very strong indeed. I must insist on your not trying to mar all this (which will be *followed by House of Commons*) by any speculative or prospective idea, as in your letter. When the time comes we can find your successor.

H. BROUGHAM.'

Before the end of the month Brougham was once more circularising the cabinet—this time in a somewhat minatory manner, as 'he perceives that some of his colleagues are bent upon a course which must break up the Government, unless a firmness is shown by the rest, and a self-denial which he hardly dares hope to find prevail.'

And again:—'The Chancellor has ascertained that the movement has its origin altogether in the language held by two or three of the cabinet within the last ten days, that it was to break up in July. The Chancellor ventures to think that the history of human affairs affords no instance of equal indiscretion. He had believed that the intention, or rather possibility, alluded to, would have remained a profound secret. That any ministers could have spread a report, the truth of which *must of necessity* always have been uncertain until the last moment—a report which, coming from authority, was enough to destroy any ministry—he never could have supposed possible. . . . But sure he is that those who have so far implicated the Government and the public safety, are of all men the most imperatively

called upon to assist in saving the country from the effects of such a proceeding.'

It would seem that the explanation of the manner in which all the current rumours regarding the decisions of the ministry came about was very simple. Brougham says:—'Some of these reports we traced, and found them to be pure inventions; others were misunderstandings of the words spoken; but *all* were traced to *cabinet dinners*—tales carried by the servants, who were in the habit, no matter at what house we were dining, of seizing every pretence for remaining in the room; then some of our colleagues would go on talking as if none but ourselves were present. Then, again, dinner was no sooner over, and one hoped the door was closed against the liveried watchers for cabinet secrets, than some one—generally Holland—would ring for a cup, or, as he called it, after the fashion of his uncle, a *dish* of tea; when in again rushed the servants with all their ears open. Our more important matters were really kept secret, because they were always discussed at councils held in the daytime; or, at all events, at meetings unaccompanied by eating, drinking, and attendants.' By this time it was known that in all probability Graham and Stanley would resign on the Irish question, and on May 25 Brougham once more wrote to Grey, discussing the necessary changes to be made, and placing before him his conclusions as to the undesirability of the Government going out:—'I further say, that suppose *even you* were to go out, which on every

account I should consider as the greatest calamity to the country and to myself, . . . my firm determination is to join the remains of your cabinet in forming a new Government, or rather continuing your own. . . . Don't say I am ambitious or want to be in power because I have not had enough of it. But I owe it as a duty to those who have so gallantly supported us these four years. Also, don't say I am using inconsistent arguments when I at *one* and the same time tell you that another Government could be made, and that my chief object is to induce you to remain, and keep everything as it is.'

The Irish Church question again came under consideration, and while a debate was proceeding in the Commons as to the advisability of the State appropriating any surplus property, the cabinet was compelled to come to a decision. This decision was immediately followed by the resignation of Stanley, Richmond, Graham, and Ripon, and, though the cabinet was reconstructed, the Government was in reality moribund. Lord Grey's first intention was to resign at once, but Brougham succeeded in inducing him to reconsider his decision, and how wrong were those who accused him of intrigue and treason against Lord Grey may be seen by the very friendly letters which passed between them. No sooner had the vacant places in the cabinet been filled up than the Irish Coercion Bill came up for consideration, and it was on this Bill that Grey finally resigned. When Lord Wellesley was con-

sulted as to the renewal of the Act, he recommended that it should be renewed practically in the form in which it had originally been passed—only leaving out the court-martial clauses. In the cabinet dissensions arose as usual, but finally Lord Grey's views were adopted and the Bill, as proposed by Lord Wellesley, was introduced on July 1 by Lord Grey, who quoted from Lord Wellesley's despatch of April 18, giving that as his reason for strongly recommending the renewal.

Part at least of the sordid squabble which culminated in Lord Grey's retirement is revealed in the pages of Hansard, but *as an opinion* it is here put forward that the basis, the root of the evil, was a fixed determination on the part of some recalcitrant Whigs to render it impossible for Lords Grey and Brougham to continue in the same cabinet. That Grey was the man of whom they desired to be rid cannot for a moment be believed. Brougham, and Brougham alone, was the man aimed at. Masterful by instinct, somewhat brutal and domineering in character, he had never really lived down his early opposition to the court and aristocracy. His oratory and personality were alike disliked in the House of Lords. The 'Old Whigs' believed that they were at last in a position to cast him aside; the perpetual insinuations made against him, both in public and in private, lend force to this view. How far his colleagues in the cabinet were privy to the conspiracy, it is now impossible to discover; but as to one of them—Campbell—there appears to

be very slight doubt. That the plot was successful in part, is historical, but it was Grey who was driven out of office, and for a time it appeared that Brougham's position would be stronger than ever. For a time only; not many months were to pass before Brougham also was permanently driven out of office.

In introducing the Coercion Bill in the House of Lords, Lord Grey expressed his regret at the necessity for any such measure:—'It was an Act which was justified only in a case of the best authenticated and most cruel necessity; but when that necessity was made to appear, he should be unworthy of being a member of their Lordships' House, and still more of holding a seat in his Majesty's Councils, if he hesitated to recommend the renewal of that measure, when he believed it necessary for the maintenance of the public peace in Ireland, and even the safety and security of his Majesty's Crown.' He next drew attention to the very satisfactory results of the Act then in force, and the great diminution of crime in the proclaimed districts, and in Hansard of July 1, 1834, the curious will find an interesting comparison between the months of April and May in that year, as to the amount of crime in the proclaimed districts.

Lord Grey next proceeded to state the opinion of the authorities in Ireland, and on this part of the question it is feared that somewhat extensive extracts must be made from some of the speeches,

seeing that it is on this point in particular that Lord Brougham has been held up to odium as a traitor to his principles and his leader. Lord Grey (as reported in Hansard) said: 'He had a letter in his hand addressed by the Lord-Lieutenant of Ireland to the Secretary of State, dated 18th of April. His Excellency stated that he enclosed the replies of the inspectors-general of the provinces to queries addressed to them in regard to the renewal of the Coercion Act, and that from them it would be seen that they were unanimously in favour of its being renewed.' In reading from this letter Lord Grey gave details of the various answers received to the two questions which were submitted.

'1st, Whether there was any necessity for the renewal of the Coercion? and 2ndly, Whether in their opinion any alteration was required in it?' The answer to the first question has been quoted already. Generally speaking, the answers to the second question were, that the Act required no amendment, and undoubtedly Lord Grey was convinced—greatly against his will—that this view was the correct one, with an important exception:—'He could assure their Lordships that this question had been examined with the most anxious attention by his Majesty's Government, with a view of relaxing in some measure the severity of those powers, and he was happy to say, that they had come to the conclusion, confirmed by the Lord-Lieutenant and other official authorities of Ireland, and also by a

communication with some of the most efficient of the magistrates in the country, that a part of this Act might be dispensed with. He alluded to that part which gave the Lord-Lieutenant the power of subjecting offences committed under the Act in certain places to trial by court-martial.' The Bill was brought in and read a first time. The next incident of importance in connection with the Bill was a debate in the House of Commons—possibly 'debate' is a misnomer, as it was more in the nature of a personal explanation by Mr. Littleton in reply to an attack made on him by O'Connell in consequence of the form in which the Bill was before the House of Lords, and accusing Mr. Littleton of a breach of faith towards him. Mr. Littleton said—'I have "a plain and unvarnished tale" to deliver, and I have no doubt that when I have explained it, the result, as regards myself, will be, that I shall be accused of having acted with gross indiscretion. . . .' He then explained how, while the cabinet was still undecided as to the exact form in which the Bill should be introduced, he had, 'after consulting friends on whose judgment I relied, . . . and under an authority which I considered sufficient,' communicated with O'Connell on the subject. The whole debate was carried on in a very acrimonious manner, and charges of all sorts were made on both sides, whilst Brougham's enemies at once jumped to the conclusion that he was the *authority* referred to in Mr. Littleton's speech. On July 4, on the second reading debate in the Lords, the Lord Chancellor

spoke at some length and with great strength on his complete agreement with Lord Grey's policy, and in replying to Lord Durham's speech against the Bill said: '... He must ask himself this question—If I am bound to suspend to this extent those rights, as regards what are called predial outrages and popular commotions—have I any right to draw the line, and take that distinction for which my noble friend has contended, and exempt from the provisions of the measure those parties who may organise the resistance which the Bill is to put an end to? Shall I say I will put down disturbances in the country, but should dangerous meetings take place in towns, I will not meddle with them? I will bear with the whole weight of my loins on the peasant, but I will not lay the weight of my little finger on those who, whether right or wrong, from principle or otherwise, actuated by levity or by enthusiasm, wish, year after year, foolishly and mischievously, to make local agitation general, and on temporary grievances build up a great scheme of national disunion.' In the course of the debate Lord Farnham, referring to rumours of negotiations with the Irish agitators, said: 'He could not help reprobating in the strongest terms that species of negotiation which had recently been going on with the agitators of Ireland; and nothing would give him greater pleasure than to hear the noble Earl at the head of the Government assert that he knew nothing of it.' In his reply Lord Grey said: 'All he could say of these negotiations, if, in-

deed, any negotiations had taken place (which he did not believe), was this—that any negotiations, any communications which took place, were totally unknown to him. If he had been applied to on the subject, he should not only have expressed his disapprobation of them, but should have used every exertion in his power to prevent them'; whilst the Lord Chancellor, referring to the same subject, remarked: 'It was always that he received credit for his actions from a member of their Lordships' House as the noble Earl [of Wicklow] who had just spoken; but he could not consent to receive that credit at the expense of a right hon. friend of his in another House, whom the noble Earl seemed to suppose—why, he knew not—that his noble friend had thrown overboard. He did not believe that anything like a negotiation had taken place between his right hon. friend and the party to whom allusion had been so pointedly made. *There might have been communications unknown to the Government on the subject of the Coercion Bill between his right hon. friend and that party, as there had been between himself and a noble Lord whom he did not then see in his place.*¹ He had discussed with that noble Lord, in private, upon the woolsack, the operation of the Coercion Bill, and before he had seen the papers he had told that noble Lord that he wished the clauses respecting courts-martial and public meetings struck out of the Bill; *but when he found the facts to be such as they appeared to be in the papers read by his noble*

¹ These italics do not appear in Hansard.

friend the other evening, he had formed the opinion which he had that night frankly expressed to their Lordships.'

In face of this explicit explanation by Brougham, Campbell accuses him of being the authority referred to by Littleton in the House of Commons on whose advice he acted. Brougham, on the other hand, in his *Memoirs* says:—'This was supposed to refer to Althorp; and undoubtedly, when the effect all these circumstances had upon the ministry was discussed in the Commons, Althorp stated that when Littleton suggested to him the expediency of telling O'Connell, he had strongly warned him to use the most extreme caution in any communication he might make, and on no account to commit himself.' This is entirely borne out by the statement of Lord Althorp made in the House of Commons on his resignation—in this respect, moreover, it is unnecessary to point out that Lord Althorp, in his explanation to the House referred to, said, on July 9, '... Private and confidential communications, however, from the Lord-Lieutenant of Ireland to individual members of the *Government*,' and later '... These private and confidential communications from the Lord-Lieutenant of Ireland to *an individual member of the Cabinet*'¹—a distinction surely sufficiently well known to the Constitution—ay, and to the people—to have preserved Lord Brougham from much suspicion and obloquy. The fact remains that, owing to these informal communi-

¹ These italics do not appear in Hansard.

118 HENRY PETER BROUGHAM

cations, Lord Wellesley wrote a letter on June 21 in which he considerably modified his original views, and it was this letter which made Althorp feel he could no longer conscientiously support the Coercion Bill, and induced him to resign—if, indeed, *induced* be the right word to use. Lord Grey wished him to reconsider his position, but on receiving a refusal he also determined to resign, and on July 9 simultaneous explanations were given in the Houses of Parliament. That in the House of Commons has already been noticed to some extent, those in the House of Lords must be referred to later at greater length. Before coming to that, however, it may be as well to quote again from Brougham's *Memoirs*, in which he says: 'In referring to the communication made to O'Connell, Grey only designated this as the height of imprudence. . . . He accused no one, but put the grounds of his resignation on the loss of Althorp, as the leader of the Government in the Commons, and as the man on whom he placed his chief confidence. But *I knew* that he felt most severely the proceedings of those who had influenced Lord Wellesley, and had dealt with O'Connell. The letter which Littleton had written to Lord Wellesley, and which had produced Lord Wellesley's letter to Grey of the 21st of June, was concocted, as Grey entirely believed, by Edward Ellice.' Brougham further refers to the slanders regarding himself, and dismisses them contemptuously. One of the main grounds of these slanders was that 'he had been corresponding with Lord

Wellesley.' As to which he says: 'A letter was in fact written about this period, but it was of a purely private nature, and could not at any time have exercised the smallest influence on his mind. How should it? It was about some verses of Lord Wellesley's, and about other gossip, too private to be here quoted. But the sentence I have referred to was as follows: "You have done yourself much credit, in my opinion, in recommending the giving up the court-martial clauses in the Bill. If things were in such a state as to justify you in recommending the omission of the unconstitutional clauses about meetings also, you would be on a pinnacle." That was the exact sentence, and contained every word I wrote to Lord Wellesley on the subject.'

When the Lords met on July 9, Earl Grey rose and made his statement as to the reasons for his resignation in a long and interesting speech, which should certainly be read in full by any one hoping to form a reasoned opinion on the vexed questions of that day. Passages there are in this speech which some may construe as indicating the belief that the Lord Chancellor was aimed at, but which, in the opinion of the annotators, rather indicate Lord Grey's conviction that the betrayal, if betrayal there had been, must be laid in the House of Commons:—' . . . It was with considerable pain and surprise that I heard there had been a statement made by those who ought to be anxious, at all events, to preserve the peace of Ireland, who ought to desire to retain unimpaired the privileges and

the power of the Government, and not to throw impediments in the way of such purposes, or to retard the passing of this most necessary Act—it was, I say, my Lords, with surprise I heard that they supported the motion of an hon. member of the other House of Parliament, for the production of documents which were of a nature that rendered them unfit to be laid before the House, which certainly ought never to have been called for, and which, I will venture to say, never were before demanded. . . . I have already stated to your Lordships that certain communications were made without my knowledge or concurrence; . . . the effect of that communication was, that a member of the other House of Parliament . . . made use of them for the purpose of bringing a charge against the Government of not producing the necessary documents to enable the House to judge of the Protection Bill.’ Lord Grey next proceeded to detail the reasons for which Lord Althorp had felt bound to resign, and how this resignation was, of necessity, followed by his own, the remainder of the speech being a review of the life of the Whig ministry. The Duke of Wellington, in reply, traversed Lord Grey’s conclusions as to the position of the country and the state of foreign affairs, and could see no valid reasons for the resignations which had been announced. The Lord Chancellor, who followed, said: ‘. . . Now on one point on which the noble Duke touched he fully concurred with him, and he would take leave to say, that of all men who had ever

held office, the present ministry would be the most without excuse if they could think of their leaving the service of their King and Country, unless through an unavoidable necessity. This had ever been his opinion since he came into office—it was his opinion to the present hour ; and he felt that he should not discharge his duty if, at all sacrifice of his comfort—at all abandonment of his ease—at the destruction, if so it might be, of his own peace of mind, he did not stand by that gracious monarch and that country whose support—whose cordial and hearty support—he had received during the three years and a half of which he had been a member of the Government. After having said this, he need not add that he had tendered his resignation.’ Certainly from these extracts—and they have been taken with no desire to slur over any hint, however slight, of a disposition on the part of others to hold Lord Brougham responsible for the crisis, or, in the case of his own speech, to omit any indication of that most fatal form of condemnation—self-excuse—for there are *no such indications*—and it seems probable that Campbell is, in his *Life of Lord Brougham*, merely repeating irresponsible gossip, with that spiteful delight in such gossip for which he was notorious.

Whatever opinion may be formed of Lord Brougham’s conduct in the Irish Question, there is no doubt as to the part he now played in re-establishing a Whig ministry. In his *Memoirs*, and in Campbell’s *Life*, it is alike stated that it

was he who interviewed the King, and who with great difficulty succeeded in overcoming his objections to the formation of a new Whig ministry. Brougham says that the King was tired of a ministry which perpetually advocated fresh changes, and which, further, continually threatened to resign—what he wanted was a Tory ministry; or, failing that, a coalition between the moderate men of both parties. Brougham, with great difficulty, overcame all his objections, and finally the King called on Lord Melbourne to form a Government. Had Brougham been the ambitious conspirator that his detractors represent, it is hardly conceivable that he would not have been able to induce the King to make him Prime Minister, and in all probability there would have been no great difficulty in the formation of the Cabinet.

On July 10 in both Houses there was a debate as to the position of the Government—a debate which cleared up no doubt, accomplished nothing, but on which once again Brougham was enabled to found a speech. Unfortunately space will not permit of extracts from every speech in this crisis, and it would be manifestly unfair to quote only from the Lord Chancellor.

The real weakness in any defence of the Lord Chancellor is the fact that when the ministry was reconstituted, Littleton and Lord Althorp were once more members of the Government—they may have been, probably were, essential to the continuance of any form of Whig ministry, but considering the

mutual distrust and the natural fissure between the Whigs and the Radicals, it was certainly natural to blame the one strong man in the cabinet for all that had happened. On July 17 it was announced in the House of Lords that the Coercion Bill, as originally introduced by Lord Grey, would be abandoned, and another would be originated in the House of Commons, leaving out the clauses as to Public Meetings. This announcement naturally met with much opposition, and gave the Lords of the Opposition many opportunities to attack the new ministry, of which they did not fail to avail themselves. These attacks appear to have been made not so much on the policy of the late or present ministry, but rather to have been delivered personally against the Lord Chancellor, who defended himself and retaliated on his opponents with his customary vigour and ability. The last reference which will be made to the attacks on the Lord Chancellor, with regard to his present conduct, will relate the scene in the House of Lords when, on July 17, he was assailed by the Duke of Buckingham, who said: ‘. . . Did the noble and learned Lord opposite suppose that a short speech, or one debate on the subject, could settle the question? He was very much mistaken if he did. The noble Lord might fancy that he had buried the noble Earl lately at the head of the Government, but he was also mistaken upon that point. The noble Earl’s spirit would arise, and scare some of the present dignified occupants from their armchairs, would disturb the

noble Viscount in his chambers, and interrupt the festivities of the noble and learned Lord upon the Woolsack, when he may attempt to forget the history with "pottle-deep potations" to the health and prosperity of the new Administration.' This language, though undoubtedly provocative, hardly justified the reply of the Lord Chancellor—a reply which tends to show how slight was the control which he held over his temper:—'The noble Duke, who had just addressed the House, must be conversant with the dialect adopted in some ale-houses with which he (the Lord Chancellor) was unacquainted. He was in the habit of meeting the noble Duke elsewhere, but never had the honour of seeing him at the ale-house, where the noble Duke must have been so often in order to have picked up the terms of his slang dictionary.'

Parliament was prorogued on August 15, and in the King's Speech reference was especially made to two Acts with the passing of which Brougham was immediately concerned—the Amendment to the Poor Laws, and the establishment of the Central Criminal Court, this latter being, on the authority of Campbell, *almost exclusively* due to the Lord Chancellor, and forming not the least link in the chain of judicial reform forged by him. Little did the onlookers think that Brougham was on the woolsack for the last time as Lord Chancellor!

In all probability the changed attitude of the *Times* had as much to do with Brougham's future exclusion from office as anything. Till Easter of

this year that newspaper had hardly sufficient superlatives in its vocabulary with which to eulogise him, but now, in consequence of some quarrel between him and Barnes, the editor, the *Times* completely deserted him, and by representing all he did in the least favourable light, succeeded in withdrawing from him the support of the public. How complete was this change of attitude on the part of the *Times* may be seen from the following extracts from that paper. In its leading article of November 13, 1833, in referring to an article on 'Legal Reform' in the *Quarterly Review*, it says:— 'There are, no doubt, among the Tory partisans, those who question the wisdom of the Chancellor's law reforms, as they have done the utility of the reforms of Parliament; and as they cry up the blessings of despotism or corruption, whichever may best serve for the time, the great interests of misgovernment all over the world; but that man that impugns the honesty, disinterestedness, and public spirit of Lord Brougham, evinced by the sacrifices which he has made of emolument in his own person, and of patronage in the distribution of wealth and office among his friends, as well as by the anxious provisions which he has made for rendering justice more speedy and less costly— accessible to the poor man and formidable to the rich—instead of leaving the pursuit of redress where he found it, more irksome and insupportable than the endurance of any wrong, however grievous—the man, we say, who can so scandalously depreciate

Lord Brougham, so as to impute his efforts for the above objects to any but the noblest and most generous designs, must be of a stamp of Toryism little akin to that of English gentlemen.' In direct opposition to this is the leading article in the same paper, July 17, 1834, referring to the Lord Chancellor's speech on the Reform of the Poor Laws:— 'Some of the injudicious friends of the Lord Chancellor are proclaiming with exultation what they call his successful stratagem to frighten the Peers into a consent to the provisions of the Poor Bill, by holding up to their startled imaginations the probable, indeed certain, loss of their estates. . . . We will not dispute that Lord Brougham must be better acquainted than we can be with the character of that Assembly of which he is the chief ornament. . . . What injudicious flattery calls profound policy, his best friends (and we are happy to enrol ourselves among the number) will denominate a mere indiscretion—a hasty effusion of temper, to which even the highest minds are sometimes subject.'

Immediately on the rising of Parliament Brougham went to Westmorland to see his mother, and then proceeded on a kind of triumphal tour through Scotland. This tour was marked by such extravagant speeches and eccentricity of conduct, that it is difficult to avoid the conclusion that he was temporarily out of his mind. At the same time, his bearing towards his entertainers was so discourteous, as to rapidly destroy his popularity. As an instance of this, the *Times* on September 30, 1834, gives the following

extract from the *Elgin Courier*:—"When the Whigs were agitating for Reform, it was their constant aim to hold up the Tory noblemen and gentlemen as proud aristocrats, unapproachable by the people; but what will they now say of Whig condescension as exhibited by their idol, Lord Brougham, on Tuesday last? We are sure we do not express our own feeling only, or that of a few individuals, but we express the opinion of a great number of the inhabitants of Elgin, when we say that we never before witnessed such rude, unfeeling, and ungentlemanly conduct as was exhibited by the Chancellor during the twenty minutes he stopped here. His Lordship was not content with insulting the provost and magistrates and the other respected individuals whom he passed near Sheriff-mill, by driving on without acknowledging their presence, but he must still further insult the respective individuals who had assembled at the door of the Inn, by desiring them to "get out of my way," in a manner which the most abject Russian serf would not have submitted to without a feeling of resentment in his bosom. . . . Lord Brougham left the assembly-rooms, accompanied by the Sheriff, and proceeded to his carriage in the same morose manner in which he had conducted himself when going to them. The people by this time were beginning to be aware that his Lordship was treating them with contempt, and several were crying out that he was a "shabby fellow," others were hissing, and some were cheering when the carriage set off. . . . The hisses were

renewed without any cheers being given, and several were crying to "turn up the shabby fellow," which it is more than likely they would soon have effected, had not the carriage immediately driven off amidst the continued hissing of the people.'

But if his conduct gave offence to the people with whom he was brought in contact, the reports of his speeches, and sarcastic comments upon them in the press, spread consternation and dismay in the ranks of the ministers, and gave great offence at court—especially as the King was of opinion that the Lord Chancellor was acting in an unconstitutional manner in leaving England, and taking the Great Seal with him. Campbell indeed states that the King was reported to have said:—'He could not account for the Chancellor clandestinely running away with the Great Seal beyond the jurisdiction of the Court of Chancery, except upon the supposition that he was out of his mind, of which there had for some time been strong symptoms.' Campbell devotes some pages to the Grey Festival at Edinburgh, and gives an interesting account of it and of Brougham's behaviour, finishing by saying that it was the last occasion for more than ten years on which he and Brougham met with any feeling of cordiality between them. Into these old personal quarrels there is neither room, nor inclination, to enter—Campbell in his *Life of Lord Brougham* and Brougham in his *Memoirs*, give conflicting accounts, and at this distance of time it would be impossible to clear up the mystery, or to discover

on which side the truth lies, or whether some 'mutual friend' had been forcing them into misunderstanding.

The actual cause of the quarrel is unmistakable. The Master of the Rolls (Sir John Leach) died, and in the usual course of events Campbell should have been promoted. Brougham, however, considered that, seeing he himself had been trained at the Common Law Bar, it would have been unwise for Campbell, also trained at Common Law, to be Master of the Rolls; that one at least of these positions ought, of necessity, to be held by a Chancery lawyer—especially as the third great Chancery prize, that of Chief Baron, was held by Lord Lyndhurst, another representative of the Common Law.

Immediately after the Grey Festival Lord Brougham returned to London, and there appeared to be no reason to doubt that for some time to come he would retain his position, in spite of his recent vagaries; but to the surprise of all, on November 11, 1834, the King dismissed the ministry. It is said that Melbourne told Brougham of the fact the same evening, under seal of secrecy, but that Brougham immediately wrote to the *Times* giving the information, and ending, 'The Queen has done it all.' This seems to be simply incredible, considering the fact that the *Times* was no longer a friendly medium, but one of his most virulent enemies. However, the King believed it to be the case, as did Lord Melbourne, and this article

by whomsoever written, it probably was which prevented Brougham from ever again holding office.

Campbell quotes from the *Times* as follows, 17th November:—‘There could not indeed,’ said the *Times*, ‘be a more revolting spectacle than for the highest law officer of the empire to be travelling about like a quack doctor through the provinces, puffing himself and his little nostrums, and committing and degrading the Government of which he had the honour to be a member. His Majesty could not but be indignant at such conduct. And it is a fact, notwithstanding all the fulsome adulation heaped on his “gracious master” at Inverness, Aberdeen, Edinburgh, and elsewhere, that the peripatetic keeper of the King’s conscience has not once been admitted since his return from his travels to the honour of an interview with royalty, either at Windsor or Brighton.’

While this quotation might possibly be passed over as mere vituperation, the next appears to be more formidable:—‘It is in general admitted that the downfall of the Government is referable in a great measure to the unbecoming conduct of Lord Brougham as Chancellor.’—*Times*, November 19, 1834.

Whatever the truth—whatever the merits—of events leading up to the dismissal of the ministry, Brougham behaved in a most undignified manner. Allowed to retain the Great Seal for some days after his colleagues had resigned their insignia of office, in order that he might, as *Lord Chancellor*,

deliver judgment in certain cases which he had heard, he was informed that the King was resentful of his conduct; he, instead of delivering up the Great Seal in person, *sent it to the King in a bag!* As if this were not enough, on Lord Lyndhurst (Chief Baron of the Exchequer) becoming Lord Chancellor, Brougham wrote to him, offering to become Chief Baron, and to do all the equity business without assistance or salary, further than his pension.

Small wonder that barristers, still smarting under his gratuitous attack upon them in his early days of office, said:—‘We can *now* understand what he meant when he described barristers as gentlemen who *ply* in Westminster Hall. The offer to do the work cheap is spitefully to prevent Sir James Scarlett from having the office which is his due.’

So great was the outcry and the indignation that he wrote to withdraw this offer, but his character and career were supposed to be hopelessly compromised. To quote Campbell once more:—

‘Many people supposed that Brougham was now extinguished. He had violated the rules of professional etiquette on a point of vital importance to the due administration of justice; he had tried to undermine a private friend; and (what might have been expected to be more fatal still) he had caused himself again to be compared to the “bottle conjurer,” by promising to perform a feat which was physically impossible. But such is the elasticity of his powers, so inexhaustible are his resources, such sway does he possess by being both fascinating

and formidable, so many more lives has his reputation than any of the feline race, that he speedily made the world overlook all his recent vagaries; and although he has never since enjoyed the confidence of any party or of any individual, he has been well received in private society, and has continued to play a very distinguished part in public life.'

The life of the new ministry was short and undistinguished. Parliament was dissolved at once, and when the new Parliament met in February, they had the support of a minority only in the House of Commons. The first division in the House of Commons, which was occasioned by the election of the Speaker, led to the defeat of the Government nominee. The ministry nevertheless determined on attempting to carry on the Government of the country, and did not resign till April 7, when they were defeated on a motion respecting the Irish Church.

Lord Melbourne, of course, was commissioned by the King to form a Government, but at the very outset was beset with difficulties—difficulties nearly all centring in Brougham's position. His erratic conduct and autocratic temper had estranged that section of the party which previously looked up to him as the natural leader, and had materially deepened the dislike and distrust with which the older Whigs had always regarded him. Melbourne felt that, however difficult it might be to carry on the Government without his support, it would

be impossible to do so with Brougham as Lord Chancellor.

In order to minimise the risk of his opposition, a somewhat cowardly expedient was resorted to—the Great Seal was put in commission, and Brougham was given to understand that his conduct in Scotland in the preceding autumn had so incensed the King that he refused to allow him to hold the Great Seal. Brougham accepted this excuse, whether he really believed it or not, and for long caused the ministry acute discomfort by behaving in the House of Lords as if he were the Chancellor, and frequently attempting to make himself the mouthpiece of the Government. On many occasions, however, his support of the ministry was invaluable, particularly in the case of the Municipal Reform Bill, which would in all probability have been strangled in committee owing to the factious opposition of Lord Lyndhurst, had it not been for Brougham's strenuous and unwearied exertions. The vigour with which he threw himself into Parliamentary debate may best be shown by stating that in the session of 1835 he made no less than two hundred and twenty-one speeches which are reported in Hansard! At this time Brougham realised clearly how seriously the alienation of the Press was affecting him, and complained in the House of Lords on the manner in which his speeches and conduct were criticised, not only in the Press but also in the House of Commons:—' . . . Newspapers—I will not say *having the patronage of the Government*, nor will

I say *under the protection of the Government*; certainly not the protection and patronage of my noble friend (Lord Melbourne)—but newspapers which have taken my noble friend under their protection. I do not think, if I were allowed to give an opinion on the subject, that the attacks are very judicious—made on one like myself, unconnected with the Government, never saying one word against the Government,—and I am happy to say that I have not had occasion to do so,—but uniformly defending and supporting it. I am sure the attacks do not proceed from my noble friend; he can have no hand in them; he is a man of sense; his underlings are those who assail me. One man is disappointed by not getting anything while I was in office. Another is vexed for some similar reason. It is the underlings who do all this, instigated by the sort of motive I have described.'

On the prorogation of Parliament, Brougham went to his home in the north, confident that the new session must see him Lord Chancellor once more. Melbourne, on the other hand, was quite content with the way in which he had tided over his difficulties, and avoided any open quarrel with so dangerous an opponent. The first sign of approaching trouble for the Government was the murmurs of litigants owing to arrears in the Cause List, due to the Commissioners having to neglect their own courts in order to hear the Chancery Appeals, and still more to the distrust engendered by what appeared to be the capricious reversal of judg-

ments on purely personal grounds between the judges.

Melbourne at first said, 'The groans of suitors do not disturb my rest,' but he soon had to pay attention to them. A pamphlet was published by Sir Edward Sugden, entitled *What has become of the Great Seal?* In this he drew attention to the serious state of affairs, and accused the Whigs of sacrificing the proper administration of justice in favour of Whig political expediency. This charge was echoed in the press all over the country, and the outcry became so serious that a cabinet meeting was called. The outcome of this meeting was disgraceful to all who took part in it.—Brougham was completely thrown over, and, forgetful of the fact that it was to him they really owed their positions, ministers determined to make Pepys (the Solicitor-General) Lord Chancellor, and Bickersteth Master of the Rolls with a peerage—this latter appointment being made on the grounds that Bickersteth alone was capable of coping with Brougham in debate. Their ingratitude and cowardice, however, did not end here: they left Brougham to discover what had been done from the pages of the daily press. As he said to Campbell:—'If Melbourne had treated me openly and kindly, he might have done what he liked with the Great Seal, and we might have ever remained friends. The pretence about the King's dislike I found to be utterly false. William may have been angry at the moment, and perhaps justly, for things I had said and done; but in April 1835, when he was

obliged to dismiss his Tory ministers, he did not care a button what individuals succeeded, and I was not a bit more disagreeable to him than Melbourne himself.'

Effectively, this decision of the Cabinet marked the end of Brougham's political career. Never again in office, he slowly degenerated and became an embittered and factious opponent of every Government. That power and influence which he had wielded so long and so honourably slipped from his grasp, and though occasionally flattered by each party in turn, in hopes of obtaining his support for some particular measure or to induce him to refrain from attacking another, he was, politically, an extinct volcano. Nevertheless, those twin reforms to which he still devoted himself were materially assisted by his advocacy. To him, we at this day owe practically the reform of judicial procedure, and the institution of a universal system of education.

The immediate result of the treatment meted out to him was to seriously affect his health, both physically and mentally, so that he spent the year 1836 in strict retirement at Brougham Hall. It is very noticeable that Campbell, now that Brougham appeared to be disposed of for life, shows himself in a far more favourable light as a critic, than when Brougham was in full enjoyment of his powers and of his office as Lord Chancellor. In concluding his short review of these intrigues and insincerities, he says: 'The aggravation of Brougham's ill-usage

from his own party was that they knew he had no honourable means of being revenged upon them.'

At the commencement of the session in 1837 Brougham was in his place in the House of Lords in his customary health, his position being that of 'candid friend' to the Government. Supporting them in most things, it was plainly evident how bitterly he resented the manner in which he had been treated; yet there was no small-minded or spiteful revenge, and despite Campbell's assertion, there is no evidence that he ever attempted to become the leader of the Radical party. That he now believed the ballot to be a necessary complement to the Reform Bill can hardly be construed as a bid for Radical support; he, like many others, was now clear that, so long as open polling continued, it would be impossible to obtain the true verdict of the constituencies.

The King was now approaching his end, and all manner of surmises were afloat as to the position of parties under the new sovereign—Lord Brougham, as well as many others, evidently hoping to be amongst her ministers. All doubts, however, were set at rest when it became known that the young Queen had retained the existing ministry. Brougham continued to sit on the ministerial side of the House, but appears to have refused all social intercourse with his late colleagues. It is difficult to form any reliable opinion of him at this time,—as an outcast from the Whig fold, after all that he had done for the cause, it is perhaps natural to find that in practically every history of the Whigs, or section of the

138 HENRY PETER BROUGHAM

Whigs, Lord Brougham is held up to opprobrium, accused of the blackest treachery, and that all manner of intrigues and designs should be imputed to him; but the clear fact remains, that when all this vilification is sifted, it rests on dislike and rumour. On all hands, however, it is agreed that he obtained a wonderful ascendancy in the House of Lords, and while all dreaded his sarcasm, all alike were eager for his compliments. As Macaulay, an old enemy of his, said: *'A mere tongue, without a party and without a character, in an unfriendly audience and with an unfriendly press, never did half as much before.'*

In the new Parliament, elected after the accession of Queen Victoria, when the proposals for the Civil List were before the House, there was a somewhat undignified scene between Lord Brougham and the Prime Minister. In speaking against the proposal to increase the allowance to the Duchess of Kent to £30,000 a year, Brougham said:—'In the present state of parties there may be a conflict of rivalry between them; they may wish to outbid one another in the disposal of the income of the people, to show their loyalty. I am well aware of the universal and ardent desire which prevails to make the grant as large as possible. I feel great pain, therefore, in making these observations, but no consideration shall prevent me from performing an imperative duty. Why should we act so precipitately when called upon to make an additional provision for the Queen-Mother?' [*Lord Melbourne*.—'Not Queen-

Mother, the mother of the Queen.'] *Lord Brougham*.—‘I admit my noble friend is right. On a point of this sort I humble myself before my noble friend. I have no courtier-like cultivation. I am rude of speech. The tongue of my noble friend is so well hung, and so well attuned to courtly airs, that I cannot compete with him for the prize which he is now so eagerly struggling to win. Not being given to *glozing* and *flattery*, I may say that the Duchess of Kent (whether to be called *Queen-Mother* or *mother of the Queen*) is nearly connected with the throne; and to a plain man like myself, having no motive but to do my duty, may be permitted to surmise that any additional provision for her may possibly come from the Civil List, which you have so lavishly voted.’

Lord Melbourne.—‘I took the liberty in the noble and learned Lord’s address to suggest that he was confounding two things: that he was making a mistake in a matter not wholly immaterial in its bearing upon the present question. All must be aware that there exists an essential difference between the *Queen-Mother* and the *mother of the Queen*, although the noble and learned Lord said this was a distinction only to be learned in courts—a distinction only recognised where there is *glozing* and *flattery*—where tongues are better *hung*, as the noble and learned Lord elegantly expressed it. I do not exactly know what the noble and learned Lord means when he says my *tongue is hung well*. As to the *glozing* and *flattery*, I must be allowed to say I

know no man in this country who can more *gloze* and *flatter* and bend the knee, than the noble and learned Lord himself—not one; and I must say that I should feel myself wholly unqualified to compete with him in these arts if, from his example, I should acquire a taste for them.'

Lord Brougham.—'I call upon the noble Viscount to produce his proofs that I ever in my life was capable of doing that which the noble Viscount has chosen to-night, unprovoked, to fling out as a charge against me.' [*Lord Melbourne.*—'Not unprovoked.'] 'I say utterly unprovoked. My noble friend observed, with a contemptuous air, that I should not say *Queen-Mother*, but *mother of the Queen*, as much as intimating, "Oh, you know nothing of these things, you don't speak the language of courts." I said, with much humility, "Far be it from me to enter into competition with the noble Viscount, whose tongue is now attuned and hung in courtly airs." I meant to dwell chiefly on the attuning of the tongue—the new tune, with recent variations, which he has learned to sing. But the imputation that I ever stooped to *gloze*, or to *bow before*, or to *flatter* any human being, is utterly, absolutely, and I will say notoriously, without foundation. I have had opportunities to practise such arts, but *I* have never availed myself of them—to the injury of others, to the betrayal of my trust, and to my own shame.'

In the session of 1838 Brougham became more and more opposed to his late colleagues. Having formed the opinion that further reform was neces-

sary, he continually pressed it upon the Government, and on being taunted by Lord Melbourne for his attacks on those whom he had, in 1835, so fervently supported, though not in office, replied:—'. . . Do the ministers desire to know what will restore me to their support, and make me once more fight zealously in their ranks, as I once fought with them against the majority of your Lordships? I will tell them. Let them retract their declaration against Reform, or, without any retraction, only bring forward liberal and constitutional measures, and they will have no more zealous supporter than myself. But in the meantime I hurl defiance at the head of my accuser—I repeat it—I hurl at his head this defiance. I defy him to point out any, the slightest, indication of any one part of my public conduct having even for one instant been affected in any manner of way by feelings of a private and personal nature, or been regulated by any one consideration except the sense of what I owe to my own principles and to the interest of the country.'

This claim of his to political consistency—if claim it be—appears, on the whole, to be fairly borne out. His speeches and his *general* support of the ministry tend to show that he was merely realising that reform, of whatever nature, once commenced cannot be stopped at some arbitrary point; that it must be continued, eventually, to its logical conclusion. The enormous gulf between him and the old Whigs—temporarily bridged over during the battle of the Reform Bill, to which the old Whigs were such

reluctant converts—now yawned between them, deeper and wider than before. That Bill, wrung from reluctant Whigs as a sop to Cerberus, had proved disappointing to the country; the benefits expected from it had not accrued. The Radicals advocated voting by ballot—a measure which the Whigs most strenuously opposed. Lord Brougham, recognising this as an inevitable result of the Reform Bill, warmly supported the proposal, saying:—‘. . . Unless their Lordships make up their minds either to this measure, or some measure of this sort, for the protection of electors, it would be carried against them. The time appeared to him to be come when something must be done. The sooner, therefore, their Lordships made up their minds to some such measure as this, the better it would be for them.’

In all this Brougham’s Whig enemies discerned a deliberate attempt to become the recognised leader of the Radical party—a deliberate attempt to avenge himself for past slights and ingratitude. But the language is the language they once applauded: the barely veiled threat—as ever in favour of reform—but now *used against their own sacred persons*. So long as those threats had been uttered against the Tories, they made use of and relied upon them; now, when they hoped to stagnate, comfortably in office, these threats were uttered against them—no words could be found foul enough to describe Brougham—the inevitable cry went up, ‘*Nous sommes trahis!*’

The main business of this session was the Canada

Bill, and on it, and Lord Durham's misuse of the extraordinary powers conferred upon him, Brougham made continual attacks—attacks marred in many instances by sneers at the position of ministers as 'courtiers.' ' . . . Could this have arisen from the deep grief into which my noble friend and his colleagues were known to have been plunged by the decease of their kind and generous master? No doubt that feeling must have had its day—or its hour—but it passed swiftly away; it is not in the nature of grief to endure for ever. Then how came it that the trance continued? Was it that the decease of one monarch is necessarily followed by the accession of another? Oh, doubtless its pleasing endurance must have been caused by the elevation of their late gracious master's illustrious successor—prolonging the suspension of the faculties which grief had brought on, but changing it into that state, inexpressibly delicious, which was suited to the circumstances so interesting of the new reign; or could it be that the Whig party, having for near a hundred years been excluded from the banquet of royal favour, and now sitting down to the rich repast with an appetite the growth of a century's fast, were unable to divert their attention from so pleasurable and unusual an enjoyment to mere vulgar matters of public duty, and bring their faculties, steeped in novel delight, to bear upon points so distant as Canada? . . . ' Language such as this, used by one whom the Whigs had discarded, lent great force to all those who then described

Brougham as a mere disappointed place-hunter. While continuing to take a great part in the Parliamentary debates, Brougham was occupied with the *Sketches of the Statesmen and Philosophers in the Reign of George III.*, a book which he published the following year, and which had an immediate success. Several of these sketches had already appeared in the *Edinburgh Review*, and to them he added many more of very uneven merit.

The opening of the session of 1839 found Lord Brougham still sitting on the ministerial benches, but co-operating more and more closely with the Tories. In the House of Commons the Whig party was no longer in full sympathy with its leaders, and on May 7 Lord Melbourne informed the Lords that ministers had unanimously tendered their resignations. When Sir Robert Peel failed to form a ministry, on what was known as the 'Bedchamber question,' the ministry of Lord Melbourne resumed office. Brougham made a violent attack on them, and, it was said (perhaps not without reason), on the Queen herself: — 'The private, individual, personal feelings of that illustrious Princess have been made the topic of every riotous meeting, of every mob, and of all the demagogues who have set to work to prop a sinking administration. Their only cry is *The Queen! the Queen! the Queen!* This is the bedchamber crisis! Sir Robert Peel's formation of a Government has been defeated by two ladies of the bedchamber. From all I have ever heard or dreamed of, I never expected to see any, and above

all a Whig, Government, based on a bedchamber question—a question of personal feeling towards the sovereign! That is the ground for resuming office, after a plain confession that they have lost the confidence of the Commons. The confidence of your Lordships' House, alas! they never possessed. The Government have resumed office only because the Queen has refused to dismiss two ladies of her bedchamber. They stand by the Queen, without the confidence of Parliament. Will this standing by the Queen get back public confidence? I do not believe a word of it. The attempt to pass a falsehood on the nation has signally failed. Considering what an inexperienced person the Queen is, it should be imputed to no fault of her own. She has reigned barely two years. But those who are about her are bound to inform her of the solemn responsibility thrown upon her by the ancient and established principles of the Constitution. There should be no force. Her feelings should be treated with all imaginable tenderness. Even when she may be wrong, every conceivable excuse should be made for her; the most profound respect and veneration of the most devoted courtier should be shown; but duty remains towering above all other and pettier considerations. If the Crown fail, as fail it must, a bad service will have been rendered by bad counsellors, bad friends, bad flatterers, and worthless parasites. Let her not be guided by mere lovers of place—wishing to keep place, or only hungering and thirsting after it—whose

appetencies have been sharpened by possession, or to whose desire distance makes it more sweet.' The speech, of which this is an extract, was severely commented on in the Whig press, and little liked even by the Tories, who, owing either to a misunderstanding between their leader and the sovereign, or to the domineering manner of that leader, found themselves excluded from office, and their opponents upheld by the country in the *personal* support—as every one considered it—accorded to the young Queen in a purely *personal* matter. The majority of contemporary Whig records now affect to regard Brougham as the leader of the Opposition in the House of Lords, but, except for the fact that the Government were certainly pursuing a line of conduct which was sure to be disapproved by him, there is no evidence by which any such position could be assigned to him, and certainly he was at no time consulted by the Tories as to the questions of the moment. True, indeed, the Tories made use of his powers to the disadvantage of the ministry, but they at this time undoubtedly considered Brougham to be a valuable assistant though a dangerous demagogue. This position was well shown in the course of a debate concerning certain political trials which had taken place in Ireland, where some of the prisoners, after being found guilty, had been pardoned (the Government said) on facts disclosed after the verdict, without the Judge having been consulted. Brougham on this occasion made a very long speech, complaining of this conduct as

being unconstitutional, and finally moved a series of resolutions, the chief being: 'That a convicted criminal ought not to be pardoned without consulting the Judge by whom he was tried.' The resolution was carried by 86 votes to 52. The whole incident is chiefly noticeable because of Brougham's reply on the debate, and of a statement made in the House of Commons.

The former is interesting only in so far as Brougham defends his consistency and explains his position as regards the parties. He said: '... Moreover, I have uniformly adhered to one political party; and if at the end of this long period I have found myself under the painful necessity of separating from my former political friends, it has not been on personal, but on public grounds; it has been—it has *notoriously* been—not because *I* changed, but because *they* have changed their course. When out of the Government in 1835, I zealously supported them; in 1836 I abstained from attendance that I might not embarrass them. But in 1839, when they have utterly forgotten the very name as well as the nature of Whigs, then, of course, my opposition became habitual, and I heartily desired to see the end of their reign. These Whig ministers under my noble friend, stripping off all decent covering, without one rag of public principle of any kind, stand before the country naked, as mere courtiers, mere seekers of royal favour, and do not utter a single whisper to show that they have a single principle in their [c]ontemplation save the securing a continuance

of their places by making themselves subservient creatures of the palace.' The statement in the House of Commons, made by Lord John Russell, is interesting inasmuch as it shows what damage may be done to a party by *overstating* a case:—'As this Resolution affects the office which I hold [Secretary of State for the Home Department], I must at once say that it proposes a practice which is utterly inconsistent with that which has hitherto been pursued by Secretaries of State in their recommendations to the Crown, from which it would be exceedingly inconvenient to depart, and in which it is not my intention to make any alteration whatever. If it were a *Bill* instead of a *Resolution*, and it had gained the assent of Parliament, then of course I should be bound to obey it. But till the law is altered I shall consider myself justified in following the practice which has been hitherto pursued, not thinking that a vote of either House can affect the exercise of the royal prerogative of mercy.'

Parliament was prorogued on August 27, and Brougham immediately returned to his home in Westmorland, whence, on the 21st October, his death was reported in London. With the exception of the *Times* all the morning papers of the 22nd contained leading articles on Lord Brougham and his career. As might be expected, these articles varied greatly in tone—some were laudatory in the extreme, others were most hostile. The *Times* remained silent until the 24th, when it was known that the rumour was false, and on that day an article

appeared which was said to have been written by Barnes (the editor):—'. . . To expatiate at length upon such topics would require an exercise of pen or speech almost as cumbrous as his lordship's own productions. He has been for a period equal to that of an entire generation the most voluminous of writers, the most voluble of debaters, and of actors, if not the most efficient and successful, at any rate the most restless and indefatigable.

'Had he abstained from writing, speaking, and attempting nine-tenths of that with which he has loaded the name of BROUGHAM, he might have accomplished in each department whereon his multifarious efforts were in a great measure wasted, a success as signal as his failures have been notorious and memorable. . . . He is an advocate and nothing more; an advocate who gains attention without inspiring any deep or enduring interest; an advocate who entertains his audience, who strives to cut away objections or obstructions by the edge of sarcasm, not by the power of reason; an advocate who can be vehement, but never earnest, who exhibits heat of temper but not of passion, and could as rarely win the sympathy of jurors as he could the sober sanction of the judge. . . . There is no party, whether "Movement" or "Conservative," that would venture to employ him otherwise than as a transient ally—as a partner or a colleague, never. . . . For it is by impulses of temper or of pique, more of a selfish than even a capricious nature, and abstracted from all broad or distinct considerations

of national or general good, that the course of this impetuous, and, in some respects, formidable adventurer, on the scenes of public life, has hitherto been shaped and directed.' This criticism is certainly an unkind appreciation of Brougham's character, but it is well to remember that it was based on some years of personal friendship and knowledge—unfortunately followed by a quarrel—and even allowing for the evident malice underlying it, there is much truth in it, even as there is much exaggeration. In strong contrast to this criticism, was one of a most virulent nature which appeared in the *Examiner* and was attributed to the pen of a Mr. Fonblanque—again a man who had, at one time, been a great admirer of Lord Brougham. This article, which appeared in the *Examiner* of Sunday, October 27, directly charged Brougham with having himself been the author of the report of his death (a charge which was, at the time, generally believed in), and was headed :

'THE BROUGHAM HOAX.'

'And is old Double dead?'

Master Shallow.

The article itself is a very long one and most ably written, though of anything but a charitable nature. After referring to the report which had been circulated, it proceeds:—'Now it is odd that some years ago the death of Sir James Scarlett was announced more positively than that of Lord Brougham on Tuesday, and persons who were not

particularly friendly to Sir James did not scruple to insinuate that the hoax *was his own contrivance* for the pleasure of seeing the *éloges* of the press. . . . Lord Brougham has been more fortunate; the maxim *de mortuis nil nisi bonum* has been most strictly observed upon his reported death, and he has had as large a share of praise in the obituary strain as even he, insatiable as he is, can desire. The general feeling indeed was that we could better have spared a better man. Unused as Lord Brougham has lately been to the eulogies of the press, the gratification will perhaps induce him, like the folks in the finale of *Tom Thumb*, "to die again to-morrow." . . . The sensation that remains now is not sadder than the feeling that was awakened in the breast of Mother Hubbard when, after playing many scurvy tricks, her dog died, and Mother Hubbard, forgetting at once all his offences, and mindful only of his great parts and entertaining ways,—

" She went to the undertaker's
To buy him a coffin ;
And when she came back,
The dog was laughing."

Right glad are we that the dog was laughing, and happy should we be if he would begin a new life, and justify Mother Hubbard's tenderness. And yet . . . but shock or no shock, we shall communicate to our readers a report which is current now in every quarter of the Kingdom—a rumour in the truth of which we repose the strictest faith ; and this is—that Lord Brougham *is* dead—defunct after all

—politically dead and gone past recovery by any Humane Society that Tory gratitude may call to the work of revival. In this sense, in a political sense, we believed him dead long before last Tuesday. "We thought so once, but now we know it!" . . . Let us turn to some of the opinions of the "Dead Lion" which accompanied the mournful tidings. Admirable in spirit and expression, generous and worthy of great praise—containing indeed in their generosity a bitter rebuke to the author of the "joke," whether Lord or Commoner—were the observations of the *Morning Chronicle*. . . . We now take leave of this ingenious hoax. We heartily wish Lord Brougham many more days and better use of them. If the powers of such a man were worthily exercised, the feeling of his country at the supposed loss of him would be far more than a shock *at the extinction* of a great intellect. . . .'

On a full review of the evidence (?) in support of the accusation brought against Brougham of having started this report of his own death, the annotators are of opinion that it is, at the very utmost, pure suspicion. What are the *facts*? On Saturday, October 19, Brougham, accompanied by Mr. Shafto and another friend, were driving in a carriage, and upset. They were certainly at one time in danger of their lives. Mr. Shafto is said to have written a letter describing the accident and Lord Brougham's death to a Mr. Alfred Montgomery; the latter lent the letter to Count D'Orsay, who read it in a fashionable club, spreading the news as being true. Of such

evidence (?) how much would be allowed to be given in a court of law? It is hearsay and nothing else: further, *Mr. Shafto denied having written such a letter*. Is it not probable—nay, almost certain—that he wrote a description of the accident, that some one hearing the letter read either misunderstood it (which is most probable), or, in a mischievous mood, spread the report (of Brougham's death) which he himself had invented? Such phases of humour were certainly not unknown in those days, and if, perchance, a political rival could thereby be injured, were looked upon as *almost* fair fighting.

Be this as it may, in all probability most men similarly placed would have retired from public life, at least temporarily; but Brougham, always a fighter, had no fear of the ridicule which he knew must be his portion, and on January 16, 1840, we find him in his place in Parliament, expressing a hope that the occasion of the Queen's marriage would not be made an opportunity for an increase of the Civil List, and in the course of his speech referring to the riotous proceedings of the Chartists:—

‘With a people full of discontent, and afflicted with distresses such as we know they are now suffering under, with falling wages, rising prices, and diminished profits,—with the country in such a state, to propose any provision beyond what is required by the absolute necessity of the case, would, in my deliberate and conscientious opinion, be a breach of all the duties which either the Government or the

Parliament owes to the people. I should revert to the words of one of the wisest of men—I mean Lord Bacon—who, dealing with a matter of the same kind, said: “Beware if you have to probe popular discontents, and find that they are deep-seated and wide-spreading; beware how you drive back the humours, for they will only cause the wound to bleed inwards.”

The great question in Parliament during this session was raised by the libel action of *Stockdale v. Hansard*. Hansards, acting under the authority of the House of Commons, having published certain derogatory statements, this action was brought. On the Sheriffs of London and Middlesex levying distress, they were imprisoned by the House of Commons for ‘breach of privilege,’ and the Courts found themselves impotent in the protection of their own officers in the performance of their duty. In the debates on this question Lord Brougham, and the great majority of the Tories (together with the majority of the people), were of opinion that there had been no ‘breach of privilege,’ and, as Lord Brougham said, ‘the Commons might as well insist upon a right to order their servants to rob people upon the highway, as to libel them in their publications.’ The deadlock was ended by the passing of an Act giving the desired power to both Houses of Parliament.

It was about this time that Brougham bought a small estate near Cannes, in France, on which he built a house, and to which he used to retire for the

winter until the commencement of another session recalled him to London.

In the session of 1841 Brougham made many speeches on various questions, dealing especially with the strained relations between England and France, and with further reforms in the administration of justice which he advocated. On June 4 the Whigs were defeated in the House of Commons, and Parliament was dissolved. In the new Parliament the Tories had a majority, and, according to Campbell, the Whigs opened negotiations with Brougham, who contemptuously refused any reconciliation.

From now onwards, for the remainder of his life, the part which Brougham played in politics steadily diminished, and of his later years there is little notice to be found save in the pages of Hansard. Occasionally he appears to have had hopes of once again holding the Great Seal; occasionally he is to be found playing an important part in the debates of the period, or busied with the business of the Judicial Committee of the Privy Council; but in the main there is little to be said, with the exception of one memorable freak in 1848 which will be recorded in due course.

When Parliament met in 1841, Brougham crossed the floor of the House and continued to sit with the Whigs, a proceeding which Campbell condemns in no faint way:—‘This course I think was very wrong, as not only being contrary to parliamentary and party practice and etiquette, but as

being actually disingenuous and unfair. . . . Although I acquit him of all wish to overhear the conversation of those whom he meant to attack, I can testify that he sometimes prevented a free communication between them when they were considering how they should defend themselves against his assaults.' Seeing, however, that Brougham had always been a Whig, and was certainly opposed to the Government, there would appear to have been no cause of complaint.

In this session Sir Robert Peel, the Prime Minister, gave little indication as to his real intentions, and Parliament was dissolved on October 7. Lord Brougham, balked of the usual outlet for his energies, devoted himself to the work of the Judicial Committee of the Privy Council—a tribunal which he himself had founded, and which he certainly considered to be peculiarly his own. Campbell (who was now a member of this Court) does justice to his diligence and ability, but, as usual, imputes ulterior motives, the idea being that Brougham wished to be made PRESIDENT of the Committee *with a salary*. To this reference will be made in due time, though, seeing it was merely the logical conclusion of the reform, it is not necessary, nor is there space, to disinter the old disingenuous statements made by either side.

During the session of 1842 Brougham gave more and more of his support to the Government, and in Parliament he and Lord Lyndhurst (an old opponent) were referred to as the 'Siamese Twins.' One of

Peel's proposals this session was the reintroduction of the Income-tax—a tax which Brougham, when in the Commons, had said to be so unjust as to justify rebellion, were there any chance of its being successful. He now repeated his old arguments against the tax, but ended by saying that owing to the blunders of the Whigs, it was necessary to resort to it, as being the only alternative to national bankruptcy.

Peel's chief difficulty at this time was Ireland, and he now determined on the prosecution of Daniel O'Connell, who was carrying on the agitation for repeal of the Union. A conviction was obtained, but O'Connell appealed by *Writ of Error*. In the end his appeal was allowed, though not without dispute, and in this respect it is noteworthy that Lord Brougham, who heard the arguments and voted against the majority of the judges, yet protested against the practice which apparently allowed any member of the House of Lords to vote on judicial matters. The subject is of sufficient importance to warrant a fairly full reference as a matter of constitutional law, and certainly shows him in a most favourable light. The quotation here is from Campbell's *Life of Lord Lyndhurst*, and sufficiently shows the position taken up by the chief actors in the case:—

'The Judges who were summoned to assist were divided in opinion, two thinking that the judgment was wrong, and all the rest that it was right. A great number of Peers had attended the hearing at different times, but only five were present during

the whole of the argument, the Chancellor, Lord Brougham, Lord Denman, Lord Coltenham, and Lord Campbell. By all of them elaborate opinions were delivered—the first two being for affirming, and the last three for reversing. According to the authorised report of the House of Lords, “The Lord Chancellor, from his place on the woolsack, then put the question—‘Is it your Lordships’ pleasure that the judgment of the Court below be reversed? As many of your Lordships as are of that opinion will say *Content*.’ Lords Denman, Coltenham, and Campbell answered *Content*.”

The Lord Chancellor.—‘As many as are of an opposite opinion will say *Not content*.’ Lord Brougham and other Peers said *Not content*. Lord Wharncliffe, the President of the Council, according to usage on such occasions when discussions arise after the question is put, remaining seated with his hat on, said :—

‘My Lords,—In this state of things I cannot help suggesting that your Lordships should not divide the House upon a question of this kind, when the opinions of the Law Lords have been already given upon it, and the majority is in favour of reversing the judgment. In point of fact, my Lords, they constitute the Court of Appeal; and if noble Lords unlearned in the law should interfere to decide such questions by their votes, I very much fear that the authority of this House as a Court of Justice would be greatly impaired.’

Lord Brougham.—‘Deeply lamenting the decision

about to be pronounced—a decision which will go out without authority, and come back without respect,—nevertheless, I highly approve of the view of this matter taken by my noble friend, and implore your Lordships who have not heard all the arguments—who have not made yourselves perfectly acquainted with the subject, and whose habits do not lead you to take part usually in the discussion of such questions—not to take part in this decision. In justice to myself I ought to say that I do think it is very wrong to go against the opinion of a majority of the Judges in this case, although I did wish to go against the opinion of all the Judges in the Irish Marriage case, because that opinion differed from the eminent and venerable authority of Lord Stowell, and other learned persons well capable of forming a correct opinion upon the subject.’

Lord Campbell.—‘ I concurred with my noble and learned friend in opposing the unanimous opinion of all the Judges in the case of the Irish Marriages, because I thought it contrary to the law of England ; and I now oppose the opinion of a majority of the Judges because I believe it to be contrary to the law of England. With reference to what has been said of the distinction between *Law Lords* and *Lay Lords*, and leaving the decision of this case with the *Law Lords*, it is unnecessary for me to say more than that the distinction is unknown to the Constitution, and that there is no order of *Law Lords* in the formation of your Lordships’ House. But there is a distinction in reason and the fitness of things between

members of a court who have heard a case argued and members of that court who have not heard it argued; and those only who have heard the argument should take part in the decision. I believe that none but those who are called *Law Lords* have constantly attended while this case has been debated at your Lordships' bar.'

Lord Chancellor.—'I think those noble lords who have not heard the arguments will decline voting if I put the question again.'

All the lay Lords then withdrew, when, the question being again put, 'that the judgment be reversed,' it was carried in the affirmative.

In 1843 a Bill was passed which was referred to earlier in this sketch—Lord Campbell's Libel Bill, which Brougham heartily supported, as he did the Bill giving compensation to the families of those who were killed by the negligence of others. The next session saw Brougham bringing in a measure revising the Judicial Committee of the Privy Council, appointing a President with a salary of £2000 a year, and two judges with salaries of £1500 and £1200. This proposal was violently attacked by Campbell, and also in the press, this latter attack drawing from Brougham the remark: 'I am rather astonished—if, indeed, after living so long, I can be astonished by anything—that the motive assigned to me for bringing in this Bill is that I want to make a place for myself. However, I ought not to be astonished at this assertion, considering the numerous race it belongs to—engendered by malice and her

bastard sister falsehood — both begotten by the father of lies upon the weakness of human nature. The person who put forth the story ought to have reflected that anything more absurd could not have been devised by the wit of man. It is a perfectly notorious fact that I have refused such an offer three times over, and when my noble and learned friend on the woolsack and another noble friend pressed me to it, and when, if I had consented, the Bill would have been brought in with all the weight of the Government, I refused it. I did not then see the necessity for it as I do now.' Brougham, however, dropped these proposals, and the Bill was passed, merely altering in some respects the jurisdiction of the Court. The remainder of this session he employed in pressing for further Law reforms, actually introducing nine Bills on the subject, two only of which were passed, and they of little importance. When Brougham went to Cannes in the autumn the political horizon was clear, but during his absence the crisis on the Corn Laws took place, and when he returned to England at the commencement of the new session, it was to find the ministry reconstructed and pledged to Repeal.

In the debates on this subject Brougham frequently intervened, and though a Free Trader was very hostile to Cobden and the Corn Law League, saying: 'If I am asked, Am I one of the League or one of the followers of the League, or one of the allies or one of the accomplices of the Anti-Corn Law League? I answer, GOD FORBID! From the

members of the Anti-Corn Law League I differ even more than from those who stand forward as the friends and the advocates of *Protection*.' In one of his speeches on the Bill he introduced an appreciation of Sir Robert Peel:—'I should fail of discharging a duty which I owe as a citizen of this country, and as a member of this House—a debt of gratitude on public grounds, but a debt of strict justice as well—did I not express my deep sense of the public virtue, no less than the great capacity and the high moral courage which my right honourable friend at the head of the Government has exhibited in dealing with this question. He cast away all personal and private considerations of what description soever, and, studiously disregarding his own interest in every stage and step of his progress, he has given up what to a political leader is the most enviable of all positions,—the calm, unquestioned, undivided support of Parliament; he has exposed himself to the frenzy of the most tempest-troubled sea that the political world in our days perhaps ever exhibited. He has given up what to an ambitious man is much—the security of his power; he has given up what to a calculating man is much—influence and authority with his party; he has given up what to an amiable man is much indeed—private friendships and party connections; and all these sacrifices he has voluntarily encountered in order to discharge what (be he right or be he wrong) he deemed a great public duty. He in these circumstances—he in this proud position—may well scorn

the sordid attacks, the wretched ribaldry with which he is out of doors assailed, because he knows that he has entitled himself to the gratitude of his country, and will leave—as I in my conscience believe—his name to after ages as one of the greatest and most disinterested Ministers that ever wielded the destinies of this country.’ This peroration is introduced here, not as being a great effort on his part, but rather as a typical instance of his peculiar form of oratory—the iteration and *reiteration*—tedious in one less used to the control of language—with such a master of that control, leads on without pause or suggestion of pause to the fitting end. The passage of the Repeal Budget practically marked the end of Peel’s Government—the country had not forgotten his previous sudden ‘conversion’ on Catholic Emancipation, and now, seeing him carry the Repeal of the Corn Laws (which he had been directly elected to uphold), lost all belief in his sincerity. His friends and opponents equally distrusted him, and very soon an opportunity occurred to rid the country of his rule. The Coercion Bill was rejected in the House of Commons by a majority of seventy-three, and a statement was made in both Houses that ministers had resigned. When the Whig ministry was formed Brougham continued to sit on the Opposition side of the House, and when the Sugar Bill was brought in, which made no distinction in duty between the free-grown and slave-grown sugar, violently opposed it, on the grounds that it was a measure to support slavery.

164 HENRY PETER BROUGHAM

The Bill, however, was carried by a large majority, and the session closed soon after.

Of the session of 1847 there is little worth saying which concerns Brougham, but 1848 is memorable. In January he went over to Cannes, and was there when the Revolution broke out. It was on the completion of the Revolution that the mind of this versatile genius conceived the following extraordinary idea.—Cannes is in the Department of the Var, and under the new Constitution this Department was entitled to nine deputies. One of these Brougham determined to become! On offering himself as a candidate he was informed he must become a French citizen, and at once posted to Paris, whence he opened a correspondence with Mons. A. Cremieux, the Minister of Justice, which is here appended:—

‘PARIS, *April* 7, 1848.

‘Lord Brougham has the honour to offer his respects to the Minister of Justice; and wishing to be naturalised in France, he has demanded certificates from the Mayor of Cannes (Var), where he has resided for the last thirteen years, and where he possesses a property, and has built for himself a mansion (chateau). Those certificates are to be forwarded directly to the Minister to transmit to him the act of naturalisation with as little delay as possible.’

‘PARIS, *April* 8, 1848.

‘MY LORD,—I must apprise you of the con-

sequences which will ensue from the naturalisation you demand should you obtain it. If France adopts you for one of her sons, you cease to be an Englishman; you are no longer Lord Brougham, you become Citizen Brougham. You lose forthwith all titles of nobility, all privileges, all advantages, of whatsoever nature they may be, which you possessed either in your quality as Englishman or by virtue of the rights hitherto conferred on you by British laws or customs, and which cannot accord with our law of equality between all citizens. This would be the effect, my Lord, even did not the British laws possess that rigour with regard to those British citizens who demand and obtain their naturalisation in foreign countries. It is in this sense you must write to me. I must suppose that the late British Chancellor is aware of the consequences of so important a demand, but it is the duty of the Minister of Justice of the French Republic to warn you officially. When you shall have made a demand in form, embracing those declarations, it shall be immediately examined.

A. CREMIEUX.'

To this Brougham replied :—

'LONDON, *April* 10, 1848.

'MONSIEUR LE MINISTRE,—I have the honour to acknowledge the receipt of your obliging letter of the 8th. I never doubted that by causing myself to be naturalised a French citizen I should lose all my rights as a British peer and a British subject in

France. I will retain my privileges as an Englishman only in England; in France I should be all that the laws of France accord to the citizens of the French Republic. As I desire above all the happiness of the two countries, and their mutual peace, I thought it my duty to give a proof of my confidence in the French institutions to encourage my English countrymen to confide in them as I do.

H. BROUGHAM.'

'PARIS, *April* 12, 1848.

'MY LORD,—My letter has not been comprehended. Yours does not permit me, to my regret, to forward your demand. You do me the honour to write to me—"I never doubted that by causing myself to be naturalised a French citizen I should lose all my rights as a British peer and a British subject in France. I will retain my privileges as an Englishman only in England; in France I should be all that the laws of France accord to the citizens of the Republic." I used the clearest and most positive expressions in my letter. France permits no partition—she admits not that a French citizen shall at the same time be the citizen of another country. In order to become a Frenchman you must cease to be an Englishman. You cannot be an Englishman in England and a Frenchman in France; our laws are absolutely opposed to it. You must necessarily choose. It was for that reason that I took care to explain to you the consequences of naturalisation. In that position, therefore, and as

long as you remain an Englishman in England—that is to say, as long as you will not abdicate completely and everywhere your quality of British subject, and exchange it for that of French citizen—it is impossible for me to give effect to your demand.

A. CREMIEUX.'

To this correspondence the *Réforme*, in which it first appeared, added: 'At the moment of going to press we learn that Lord Brougham, in a letter received this day in Paris, renounces formally all naturalisation in France.'

As might be expected, this correspondence did not pass unnoticed in the English press. The *Times*, April 19, 1848, published a translation of an article in the *National* of the 18th:—'The *National* has the following sarcastic article in allusion to the last mad prank of the English ex-Chancellor: "So it was really no joke after all! Lord Henry Brougham really wished to become a citizen of France, and addressed a formal demand to that effect to our Provisional Government! It is incredible, but true nevertheless. His lordship, however, by no means intended to surrender his privileges as an English citizen—my lord wished to amalgamate the two. France is beautiful, no doubt, but England has also its attractions, which are not to be voluntarily abandoned. How reconcile this double inclination? My lord had discovered a very ingenious plan—the contraction of a second marriage without dissolving the first. . . . In

short, he contemplated the perpetration of a political bigamy! How will prudish England receive such a disclosure? We cannot tell; but we confess that were we in the place of my lord we should feel slightly embarrassed. Let him extricate himself from the scrape as best he can—it is his business, not ours!” Commenting on the matter in its leading article, the *Times* further said:—‘All who remember English history for the last forty years speak of Henry Brougham as the most eccentric figure in that eventful period. So much of greatness in words, and so little dignity in action, have never been found in the same individual. Now shaking the House of Commons with his eloquence, and now exciting the laughter of schoolboys, still it is the same marvellous man. Lord Brougham has just thrown the highest somersault that he has ever accomplished. It is not sufficient for him to have played the Edinburgh Reviewer, the English Barrister, to have propounded startling theories in science, to have been created an English Peer, to have translated Demosthenes, and to have passed himself as the greatest orator of his age,—like Alexander, he sighed for other worlds, not to conquer, but in which to display his eccentricities. . . . He may yet rival Vergniaud in eloquence, and employ the remainder of his life in reconstituting civilisation in France. For this turbid pre-eminence we find him almost ready to sacrifice ermine, coronet, pension, and all. When sacrificed at last before the rising demagogues of the new Mountain,

and led off to the Place de la République in a cart, he will devote the brief minutes of his passage to chanting with serious enthusiasm and strong Northumbrian burr,

“ Mourir pour la Patrie,
C'est le sort le plus beau et le plus digne d'envie.”

It is doubtful if any man but Brougham could have held up his head under the merciless storm of ridicule his preposterous idea brought upon him. He, however, for the remainder of the session occupied himself in helping Campbell in the House of Lords, over a Bill for the amendment of the Marriage Law in Scotland, and never concerned himself in the least degree as to what people said.

In the autumn Campbell went to Westmorland and spent some days at Brougham Hall, where he was most hospitably received. Concerning this visit he says:—‘I really believe that he [Lord Brougham] and I were quite sincere for the moment in testifying goodwill towards each other. Indeed I still feel not only regret, but something savouring of remorse, when I am obliged, as a faithful biographer, to record anything which may seem not altogether to the credit of one with whom I have spent so many pleasant hours.’

The chief measure of the session in 1849 was the repeal of the Navigation Laws: a measure advocated by the majority as the natural complement of ‘Free Trade’; a measure opposed by a great and influential minority, as one calculated to reduce our safety

on the high seas and to imperil our commercial supremacy; a measure which has undoubtedly resulted in a great decrease in the number of British seamen employed.

To this Bill, Brougham, in spite of his Free Trade beliefs, lent the most strenuous opposition, and according to Campbell once more, 'In the most unscrupulous manner, called sordid self-interest, "crass ignorance," and vulgar prejudice to his aid.' Disregarding this political language, it certainly is true that in Brougham the ministers found a dangerous foe—for constructive policies he may have become an extinct force, but for destructive criticism he was, undoubtedly, still a power to be reckoned with.

His speech on this occasion was long and closely reasoned, though to some extent marred by his usual claim for perfect consistency—a claim which he continually put forward in face of the overwhelming belief to the contrary. '... I have indeed, not many hours ago, been thus taunted, in quarters from which such a taunt did come upon me somewhat unexpectedly—used, as I have been, to strange political evolutions; ... yet, I own, with all this experience, the taunt did come with the attribute of novelty, and the zest of surpassing all expectation, when in such quarters, of all others, it was wondered at, that I, of all men—I, who had ever been the advocate of free trade, ... that I, the apostle of free trade, should in the eleventh hour and on the eve of its final accomplishment, turn

round against. . . . But who was the first patron of the free-trade school—the apostle of that faith? . . . Unquestionably Adam Smith, author of the *Wealth of Nations*; and yet he distinctly gives his testimony in favour of the Navigation Laws—holding defence of more importance than opulence, and therefore, while he admitted that those laws tend to abridge the accumulation of wealth, declaring that they are to be respected as “the wisest of all the commercial regulations in England.” . . . My noble friend dwelt at large on the reciprocity system. Having occasion to leave the House for a moment, I found him on my return reading over a list of countries with which we had such arrangements; . . . but these treaties were all respecting differential duties; all of them were grounded on the comparatively sound principle of only relaxing your monopoly with those States who agree to relax their restrictive laws; . . . whereas your present scheme is to give the *quid* without the *quo*; to sweep away all restriction at once with every country, before you secure an equivalent from any one; and, so far from proportioning your sacrifice to your gain, to sacrifice everything before you gain anything. . . . The policy, my Lords, of the Navigation Laws, rests upon the position, that without such a partial monopoly as they give British shipping, we never can maintain a sufficiently ample nursery for our Navy, an object of primary importance, as Dr. Smith maintains, to every insular empire. . . . They may bring our produce from the West Indies to England, export

our manufactures from England to the West Indies, and carry on the trade between island and island—but not a dollar's worth of their American trade will they suffer us to share; and the agitators for reducing our Army and Navy perhaps foresee that to keep up those costly establishments merely in order that the Americans may profit by them, cannot long be endured by our people. Hence, no doubt, one motive of the zeal shown by that sect, which, although insignificant, is very active to abolish what they term the Colonial monopoly. . . . I do not, on any account whatever, either public or private, from any feeling whether of a general or personal kind, desire to see a change of the Government. But the risk of any change I am prepared to meet rather than see the highest interests of the Empire exposed to ruin. This measure I never can bear, because the national defence will not bear it. All lesser considerations of party policy or parliamentary tactics at once give way; and I have a question before me on which I cannot pause or falter, or treat or compromise. I know my duty, and I will perform it: as an honest man, an Englishman, a peer of Parliament, I will lift that voice to resist the further progress of the Bill.'

In the division on the second reading the Government found themselves in a minority of fourteen, but proxies being called, forty-four of the absentees were against the Bill and sixty-eight in favour of it, the result being the passage of the Bill by a majority of ten. Many articles in the Press appeared denouncing the anomalous privilege of voting by proxy, but it

was many years before this privilege was abolished. Lord Lyndhurst, so Campbell says, asked Brougham the following riddle: 'Brougham, here is a riddle for you. Why does Lord Brougham know so much about the *Navigation Laws*?' Answer: 'Because he has been so long engaged in the *Seal-fishery*.'

During the winter which, as usual, he spent at Cannes, Brougham was engaged on a course of experiments on light, and in passing through Paris he lectured on the subject to the French Institute. On his return to London in 1850 he at once devoted himself to judicial work, and succeeded in clearing off the arrears to a great extent, though not without much criticism from the Press—criticism to which he objected so strongly as to raise the question whether it were not a breach of privilege.

From now on Brougham gradually withdrew more and more from the political arena; though he continued to speak in the House of Lords, it was usually on the subject of Law Reform. He was, however, for some years most assiduous in the hearing of appeals, but in 1861 he withdrew more from his self-imposed duties and commenced writing his *Memoirs*. It is unfortunate that these had not been commenced earlier and carried forward to a later period, so that the history of his exclusion from office and his quarrel with the Whigs might have been heard from his own point of view. It is unfortunate also that owing to his age Lord Brougham's memory was failing, so that many of his statements in these *Memoirs* are demonstrably

inaccurate, and doubt is cast upon all; but the letters which are included are of great interest, more especially those dealing with the stormy period of his Chancellorship. As the years passed by he spent more of his time in Cannes, and there he died, May 7, 1868.

Some years had elapsed since Lord Brougham's name and conduct had been a daily feature in the Press. Sufficient time had passed to allow of a fairer judgment being formed of his life and character, and the result was that his great achievements alone were referred to in the obituary notices. Though in most cases some reference was made to his vagaries, the references were of a kindly nature, and by all full justice was done to the versatility of his genius. A few extracts from these notices are given, as being of interest, but it would need a volume almost to contain the articles which were printed at the time.

The *Weekly Scotsman* of Saturday, May 16, 1868, says:—'. . . The peacefulness of his end was in striking contrast to the warring and tumult of his life—unwatched of mortal eye, unwarned by any access of disease or weakness, he passed away quietly in his sleep. . . . He was eminently a man of action, and eminently a man of his time, representing its best and most enlightened spirit. Hence the impulse which he gave to improvement in the world, was given in his own day; his great name was won from his contemporaries. It is well for his

country that he has lived ; and whether or not it may be well for his reputation in after times, it is, on the whole, for the good of his country that he has lived so long.' Then follow four columns devoted to his life, dealing, naturally, almost exclusively with the political side, after which an anecdote is introduced worthy of repetition.—' Cockburn in his *Memorials* says of Lord Eskgrove that " Brougham tormented him, and sat on his skirts wherever he went, for above a year. . . . ' I declare,' said the Justice, ' that man Broom or Broug-ham, is the torment of my life ! ' His revenge, as usual, consisted in sneering at Brougham's eloquence by calling it, or him, *the Harrangue*. ' Well, gentlemen, what did the Harrangue say next ? Why, it said this ' (misquoting it), ' but here, gentlemen, the Harrangue was most plainly wrongg and not intelligibill.' We have been told on very good authority, one of the most striking of several surprises with which Brougham took his revenge on this judge, or some other of like character.¹ It was the Jedburgh Circuit ; his Lordship had been made happy by the assurance that Brougham was not there ; the procession of Judges and Magistrates was proceeding in full pomp up the long street to the courthouse. Suddenly there appeared on the sky-line a gig containing a man wearing a cocked hat set the wrong way ; the gig charged madly down the street, putting the procession to rout, and leaving the less nimble of the dignitaries sprawling

¹ It was Lord Eskgrove. Campbell tells the same anecdote.

in the gutter, and then vanished, before the face under the cocked hat could be recognised. The gig and the man were seen no more, but when the Judges, much enraged, reached the courthouse, they were not soothed by finding there 'The Harrangue' sitting waiting with a pile of papers, and obviously eager to begin. There were violent suspicions—but never detection. . . . Lord Brougham was happy in the inheritance of great physical gifts. . . . Nothing but Herculean strength of nerves could have enabled him to undergo those labours by which he rose from a comparatively humble and obscure position to be the first and most prominent man in the British House of Commons."

The *Morning Post* of Monday, May 11, said:—
 'Lord Brougham, the particulars of whose sudden death at Cannes will be found in another column, may be said to have lived many lives. We do not now allude to the great age to which he had attained—he was in his ninetieth year—but to the great variety of parts which he had played on the stage of the world, and in all of which he achieved a degree of success that would have gained for him a high reputation among his contemporaries, and have caused his name to be remembered by posterity. A great orator, his eloquence of most others—Erskine himself not excepted—was no less adapted to Parliament than to the Bar; and even the atmosphere of the House of Lords seemed to have no perceptible effect, as it had even in the case of Chatham, in

obscuring its brilliancy or weakening its force. A prolific author, his works on historical, literary, political, and even philosophical subjects are so voluminous as in themselves to present the labour of no idle life. As a man of science he began his career seventy years ago, when not twenty years old, with the publication of some abstruse researches into one of the most recondite branches of physical science, and he may be said to have closed his active and working life with some further essays on the like subject when entering on his ninth decade. But this did not constitute the actual business of his life, which was that of a hard-working lawyer in extensive practice, and whose time, one would have thought, would have been so completely occupied with the practical details of his profession as to have no leisure for anything else. Lord Brougham's life as a working lawyer was probably more laborious after he left the Bar, and even perhaps after he had ceased to sit on the woolsack, than it was before. Notwithstanding his immense practice, due to his great powers and success as an advocate (as shown particularly in conducting the defence of Queen Caroline), and while still dividing his attention between this and political and scientific pursuits, he nevertheless found time to overhaul the whole system of law and equity, and to methodise and formulate those reforms which, embodied in his famous speech on the subject delivered forty years ago, have in great part been since practically carried out—chiefly through his indefatigable exer-

tions, for Lord Brougham was not a man to rest contented with indicating a defect and suggesting a remedy; mere theory did not satisfy his active and practical mind; and he followed up his speech by taking the most vigorous action, and framing Bills for introducing the substantial ameliorations he had proposed. Besides this kind of work, it is not too much to say that after he had ceased to be Chancellor, as one of the private law lords, the self-imposed duties which Lord Brougham discharged were as onerous as those of any one of the judges on the bench. But Lord Brougham was even more distinguished as a statesman than as an advocate, a judge, and a law reformer. The large share he took in the work of the Reform Bill of 1832, and in the contest which attended its passing into an Act, are too well known to need comment. Indeed the unwearied debater and resolute party leader, who in the Commons had no rival but Canning, and who when raised to the Lords found no rival at all, is perhaps the most prominent figure which meets the eye in the historical group to which he belongs. While Earl Grey and Lord John Russell enjoyed all the prestige which rank and birth and party connections could give them, plain Henry Brougham owed his influence solely to his great intellect, his indomitable will, and above all to his indefatigable industry and labour. But the fierce party leader, whose invectives seemed formed on the model of the philippics of Demosthenes, was at the same time a great practical philanthropist, and no

less earnest and untiring in his labours for the abolition of slavery and the slave trade than for carrying the Reform Bill. And while labouring to emancipate the victims of "involuntary servitude" abroad, he was no less zealously working to do away with another kind of slavery at home, namely, that of ignorance which debases and fetters the mind as the other does the body; and his efforts in the cause of cheap and efficient education for the people, and the diffusion of useful knowledge among old and young alike, were unceasing. One striking circumstance in the biography of Lord Brougham—which, indeed, is the history of the times for the best part of a century—is that he lived to see so many of the reforms he advocated reduced to practice, and to take himself an active part in their realisation. The present generation is hardly old enough to have any personal recollection of these things; and those who have attained middle age and upwards have wellnigh forgotten them. Slavery is now so completely a thing of the past, that even those who are old enough to have taken an interest in its abolition have long since ceased to think of the controversy. They have forgotten all about the war which the Broughams and Wilberforces had to wage against elaborate arguments drawn from Scripture to prove that slavery was a perfectly legitimate institution and in proper keeping with the polity of Christian nations, and that other further justification for it, ascribed to Lord Eldon, that if it were really so bad, the bench of bishops would unanimously condemn

it, instead of upholding it, which as a rule they did, as they do the Irish Church now. Then again, to take another illustration, there are the county courts, which, although they are of most recent date, have only been a dozen years or so in existence, are so wrought up into the everyday life of the country, that one has ceased even to reflect with surprise on the question how people managed to get on at all when there were only the superior courts at Westminster, so that it is upon record that actions were brought in which, while the sum sought to be recovered was only a few shillings, the costs amounted to many score pounds. Yet of these useful institutions Lord Brougham must be regarded as the author, and in his speech now delivered nearly forty years ago he urged the establishment of cheap local courts which would bring home justice to every man's door. It is only those who are addicted to the study of the political history of the past generation who are familiar with these incidents, and in their minds the news of Lord Brougham's death will call up long trains of interesting reminiscences and suggest many curious reflections.

'It is about sixty years since—in other words, two generations ago—that Lord Brougham's parliamentary life began, when Napoleon I. was at the height of his fame, and half a dozen years prior to the battle of Waterloo. From that time until now, with the brief hiatus of three or four years, this veteran statesman sat in one House or the other,

and was indefatigable in his public labour. And as the commencement of his public life carries us back to the most active and exciting period of the great war, so his birth connects us with the pre-revolutionary age. The great principles of the "First Republic of 1799," of which we have heard so much, had not been formulated when there was born in Edinburgh a man who, after having achieved, through his own unaided abilities, the highest honours a subject can attain—for the Chancellor in his official capacity ranks next to the royal family—had become a French proprietor, and, in virtue thereof, aspired to be a French citizen under the Second Republic of 1848, and who, twenty years later, during which interval he had almost always continued adding to his reputation for intellectual power and versatility, died in his sleep and without a pang, at this same French estate at Cannes, at a time when the Second Empire, the creation of universal suffrage, had, under a third Napoleon, the elected of six million voters, been in existence for sixteen years. Of what defects there may be in Lord Brougham's character—for his very versatility has been charged as rendering him in some respects superficial—it is not our intention to speak now; we have enough to do, even to enumerate his great and useful qualities, which were always directed honestly, if sometimes mistakenly, not merely to the good of his country, but for the benefit of the entire species. That is indeed a noble vanity, if vanity it be, which makes a man of gigantic powers labour

182 HENRY PETER BROUGHAM

incessantly that he may be looked upon as the benefactor of his race.'

The *Newcastle Chronicle* and the *Kendal Mercury* drew special attention to his influence in the North, and the latter is quoted as indicating the view the Annotators have taken of the basis of Brougham's character. In that paper of May 16, 1868, we find:—'. . . Henry Brougham is dead. There is no mistake *this* time. The announcement is no canard, ingeniously devised. . . . It is true enough; and Henry Brougham, after a life of unceasing activity, has been laid in a quiet grave among the acacias and vines on a lovely slope, looking on the calm beauty of the Mediterranean, and warm under the blue skies of the sunny south. On Thursday week the old nobleman died peacefully in his sleep, rich still in the boundless wealth of his prolific mind; ill of no disease; a victim of no disorder; dying of sheer old age and the infirmity which comes alone of living out oneself and one's generation. . . . The sturdy old man *has* gone at last, though, leaving his footprints in the sands of time, and his name a brilliant memento for future generations to revere and incoming statesmen to envy. . . .

'Connected as Henry Brougham was with the county, Westmorland men have always felt a sincere interest in the knight under whom their historical political battles were fought. His cleverness and his humour, his readiness to acknowledge the Westmorland hand-grip with a cordial welcome, his wonderful memory of persons when incidentally

reminded of them, retained him a place among the men of the North. . . . Lord Brougham leaves a name behind him as an inheritance for the North, which we believe will long stimulate the young heart and mind of Cumberland and Westmorland in the earnest paths of Knowledge and Science. His name will ever live among the worthies and ornaments of our county. . . .

‘He returned to the House of Commons in the year 1816. . . . He was thirty-six, too, a mature age. From this time he took a decided lead in the House, and maintained unflinchingly the uphill game peculiarly suited to his nature. With his force his failings became more apparent. The north-country elements, bad and good, made themselves day by day more notorious. The prize-fighter’s pluck, the unyielding pertinacity, the unrestrained expression, the uncouth gesticulations, created at once respect and ridicule. “The blundering Brougham” of Byron’s angry iambics grew into the “blustering Brougham” of the Tory journals. For thirteen years he waged the Parliamentary warfare in the fiercest style—repeated his motions, multiplied his speeches, crowded his illustrations, sharpened his taunts, emphasised his periods, intruded his anecdotes, flung down his facts. He was the most constant, the most successful, the most humorous speaker in the House, and at the same time the most elastic and unextinguishable; but his tact and manner were far inferior to his talent, and his appearance, at once highly remarkable and absurdly ungainly,

184 HENRY PETER BROUGHAM

seemed to justify the distortions of the caricaturists and lampoons of the ballad-makers:—

“A meagre form, a face so wondrous thin,
That it resembles Milton's Death and Sin ;
Long arms that saw the air like windmill sails,
And tongue whose force and fury never fails.”

On this note the Annotators conclude. To them, after a careful scrutiny of all such material as is easily available for the study of Brougham's character, this obituary notice, curtailed for purposes of space as it is, supplies the solution—the reference to *north-country elements, bad and good*, surely and certainly indicates the keynote required,—Brougham, a Border man by birth (with an admixture of Highland blood), was a mosstrooper by instinct. Like the old mosstrooper, he was never so happy as when fighting against odds ; like the old mosstrooper, he was ever ready to quarrel with his friends, even to the ruin of a common cause. He lived fighting and by fighting. Quick to resent, slow to forgive an injury ; firm in his faith, unscrupulous in his methods of warfare, he remains a type of that most lovable, unteachable man, THE MOSSTROOPER OF THE SCOTTISH BORDER.

GENERAL APPENDIX

APPENDIX B

ABERCROMBY, GEORGE RALPH, was the eldest son of General Sir Ralph Abercromby. Educated for the Scottish Bar, he became a member of the Speculative Society; was admitted Advocate in 1794, and in 1821 succeeded his mother as second Baron Abercromby of Aboukir and Tullibody. He was Member of Parliament for Edinburgh and also for Clackmannan. Died 1843.

ABERCROMBY, JAMES, the third son of General Sir Ralph Abercromby, was born November 7, 1776. Called to the Bar at Lincoln's Inn in 1801, he soon obtained a commissionership in bankruptcy, and later became Steward of Estates to the Duke of Devonshire. In 1807 he was elected to Parliament as member for Midhurst, and in 1812 for Calne, which constituency he continued to represent until 1830. In Parliament he took a prominent part in all Scottish business, and was noted for his clear and judicious statements. In 1827 he was appointed Judge Advocate-General, and in 1830 became Chief Baron of the Exchequer of Scotland, receiving a pension of £2000 a year when that office was abolished in 1832. In the first Reformed Parliament he and Francis Jeffrey were the representatives

for Edinburgh. In 1834 he was made Master of the Mint, and in 1835 was elected Speaker of the House of Commons. In 1839, resigning that post, he was created Baron Dunfermline. Died April 17, 1858.

ABERCROMBY, SIR RALPH, was the eldest son of George Abercromby of Tullibody, Clackmannan, and born in October 1734. He was educated at Rugby, Edinburgh, and Leipsic, with a view to becoming an advocate; but on his return to Scotland he showed so strong an inclination for a military life that his father gave way, and in March 1756 procured him a cornetcy in the 3rd Dragoon Guards, of which regiment he became Lieutenant-Colonel in 1773, while in 1781 he was promoted Colonel of the 103rd Foot. He saw service in Germany from 1758 to 1762, and was then quartered with his regiment in Ireland, seeing much of the country with good results for himself in later years. His relationship with Dundas, which hitherto had served him in good stead, now nearly proved his undoing. Being elected member for Clackmannan, he refused to vote as a mere party hack, and his opposition to the American War appeared to prohibit any further professional advancement. In the end he retired from political life and devoted himself to the education of his children. On the outbreak of the war with France, however, he once more emerged from obscurity and served as a Major-General under the Duke of York in Flanders. In this campaign he distinguished himself greatly—

particularly in command of the rearguard in the inglorious retreat. From 1795 to 1797 he served as Commander-in-Chief in the West Indies, during which period he captured Grenada, Demerara, Essequibo, St. Lucia, St. Vincent, and Trinidad. In 1797, on his promotion as Lieutenant-General, he was appointed to command the forces in Ireland, where he was employed in putting down the rebellion of 1798—an occupation in which his previous knowledge of that country very materially assisted him, though he made himself obnoxious to the authorities by his strictures on the vile conduct of the militia, whose sole idea appeared to be plunder, in consequence of which he resigned. In 1799 he was again in Holland in another abortive expedition. On the death of Sir Charles Stuart he was appointed to the command of the troops in the Mediterranean, reaching Minorca in June 1800, and taking part in the futile attempt on Cadiz. Thence he was sent to Egypt. Leaving Malta on December 13, it was not till March 2, 1801, that he arrived at Aboukir Bay, valuable time having been wasted in seeking assistance from the Turks. He landed on the 8th, though not without opposition. In the fighting before Alexandria he was mortally wounded, dying on board the *Foudroyant*, March 28, 1801, and being buried at Malta.

AÇEREDO [ACEVEDO, FELIX ALVARER], originally an advocate at Madrid, quitted his profession and entered the bodyguard of Charles IV. In 1808

he commanded the eighth corps of volunteers and became Colonel the following year. He distinguished himself in the campaigns against the French in 1808 and 1814. In 1820 he commanded the insurgents in Galicia, and was killed in an ambuscade by the Royal forces.

ADAM, SIR CHARLES, the second son of the Right Honourable William Adam of Blair Adam, was born October 6, 1780. He entered the Navy at an early age, serving under his uncle (later Lord Keith) till 1795, when he joined the *Victorious*, 74, as acting-lieutenant. Promoted Captain in 1799, he was given command of the *Sybilie* frigate, in which, on August 19, 1801, he captured the French frigate *Chiffonne*. Appointed in command of the *Chiffonne* in 1803, he was employed on the blockade of the north of France in 1805. From 1811-13 he was in command of the *Invincible*, 74, on the Spanish coast. In May 1825 he was promoted Rear-Admiral, Vice-Admiral in 1837, and Admiral in 1848. In 1835 he was made K.C.B. He sat in Parliament for Kinross in 1831-2 and 1833-41. He was one of the Lords of the Admiralty, 1835-41, and again 1846-7. Commander-in-Chief in the West Indies, 1841-5. In 1847 he was appointed Governor of Greenwich Hospital, where he died September⁷, 1853.

ADAM, CLEMENTINA, the only daughter of William Adam of Blair Adam, was born in 1785. She

married, April 27, 1807, John Anstruther Thomson, of Charleton, Fifeshire, by whom she had two sons and five daughters. Died October 29, 1877.

ADAM, ELEANOR, the wife of William Adam of Blair Adam, was the daughter of the tenth Lord Elphinstone and sister of Admiral Lord Keith. Died February 4, 1800.

ADAM, FRANCIS JAMES, the fifth son of William Adam of Blair Adam, was born March 24, 1791. He married 1817, Mary Augusta Dalrymple, daughter of General Alexander Marcovitch Poltoratjky of St. Petersburg. Died in June 1820.

ADAM, SIR FREDERICK, was the fourth son of William Adam of Blair Adam and was born in 1781. He was appointed an Ensign in 1795 and in 1796 Lieutenant, being educated at the Military Academy, Woolwich. In 1799, becoming Captain, he exchanged into the Coldstream Guards, serving with his regiment in Egypt. He was promoted Major in 1803, Lieutenant-Colonel 1804, and in 1805 was in command of the 21st regiment, which was ordered to Sicily, where he saw much service. In 1812 he was promoted Colonel, and in 1813 was given command of a brigade in Spain. He added greatly to his reputation here and was wounded several times. Returning to England in 1814, he was promoted Major-General. He was in command of a brigade in Lord Hill's division at

Waterloo, and his attack on the flank of the French Guards had a considerable bearing on the fortunes of the day. From 1817-22 he commanded the division at Malta. In 1824 he was made G.C.M.G., and was Lord High Commissioner of the Ionian Islands, 1824-31. In 1830 he was promoted Lieutenant-General, was Governor of Madras, 1832-37, and in 1840 was made G.C.B. He was promoted General in 1846, and died suddenly at Greenwich, August 17, 1853, while on a visit to his brother, Sir Charles Adam.

ADAM, JOHN, the eldest son of William Adam of Blair Adam, was born May 4, 1779, and educated at Charterhouse. In 1794 he received a writership in Bengal, and after spending a year at Edinburgh University he landed at Calcutta in 1796. He was private and political secretary to Lord Hastings and accompanied him in the third Mahratta war. In 1817 he became a Member of Council, and in 1823 as senior member was acting Governor-General on the departure of Lord Hastings, his rule lasting for seven months. He rendered himself unpopular by the measures he took against the press and by his withdrawal of Government support from Palmer's Bank. Both measures were, however, amply justified, and he has also the credit of being the ruler to appropriate a grant of money to the purposes of native education. His health broke down and he was ordered home to England, but died off Madagascar, June 4, 1825.

ADAM, LOUISA, sister of William Adam of Blair Adam, was the third daughter of John Adam of Marybrough, this being the name given to the house and village built by her grandfather, William Adam the architect. Died unmarried.

ADAM, WILLIAM, of Blair Adam, was son of John Adam the architect, and born August 2, 1751. He was admitted advocate in 1773, and the following year was returned to Parliament as member of Gatton, Surrey. At first an independent member, he in 1779 definitely became a supporter of Lord North, and on November 29 in that year fought a duel with Charles Fox, whom he wounded slightly. It was said at the time that a deliberate attempt had been made to get rid of the Whig leader. In 1780 he was appointed treasurer to the Ordnance, and became member for the Wigton boroughs. In 1782 he was called to the English Bar, and soon acquired a good practice. In 1788 he was appointed one of the managers in the impeachment of Warren Hastings. In 1790 he became member for Ross-shire, but retired on becoming auditor to the Duke of Bedford. In 1796 he took silk, and later became attorney-general to the Princess of Wales, and keeper of the great seal for the Duchy of Cornwall. In 1815 he was appointed a Privy Councillor, and Lord Chief Commissioner of the Scottish Jury Court. In 1776 he married Eleanora, daughter of the tenth Lord Elphinstone, by whom he had five sons, who all attained some eminence. He died February 17, 1839.

ADAM, WILLIAM GEORGE, third son of William Adam of Blair Adam, was a member of the Speculative Society. He was called to the Bar at Lincoln's Inn, 1806, became K.C., 1822, Accountant-General of the Court of Chancery, 1831. He succeeded his father as auditor to the Duke of Bedford, and died in 1839.

ADDINGTON, HENRY, was the eldest son of Anthony Addington, medical attendant to Lord Chatham. He was born May 30, 1757, and educated at Winchester and Oxford. Elected member for Devizes in 1783, he was called to the Bar in 1784. In 1789 he was elected Speaker of the House of Commons. In 1801 he succeeded Pitt as Prime Minister, resigning in 1804. In 1805 he joined the Cabinet as President of the Council with a peerage, as Viscount Sidmouth, resigning office in July the same year. He was Lord Privy Seal, and later Lord President in the cabinet of Fox and Grenville, 1806-7; Home Secretary, 1812-1822; and died February 15, 1844.

ADDISON, JOSEPH, was born May 1, 1672, and educated at Charterhouse and Oxford. In 1698 he obtained a fellowship, retaining it till 1711. He soon became known for his essays and poetry. In 1697 he obtained a pension of £300 a year, and in 1699 travelled on the Continent, only returning to England on the death of his father in 1703. On the Whigs returning to office he was made a Commis-

sioner of Appeal, and later Under-Secretary of State. He had the reputation of being intemperate, but was liked by all who knew him. He is perhaps best remembered for his contributions to the *Tatler* and *Spectator*. In 1716 he married the Countess of Warwick; became Secretary of State, 1717; retired on a pension of £1500 a year in 1718. Died June 17, 1719.

ALEXANDER, HENRY, was member for Londonderry in the Irish House of Commons 1797-9, and a member of the Secret Committee sitting at Dublin 1797-9. He had much correspondence with Thomas Pelham (later Earl of Chichester) between 1795 and 1798, and in 1799 was chairman of the Committee of Ways and Means.

ALLEN, JOHN, was born near Edinburgh, February 3, 1771, and in spite of the bankruptcy of his father was given a good education. He was apprenticed to a Mr. Arnot, an Edinburgh surgeon, and in 1791 became M.D. of the University of Edinburgh. He never acquired any regular practice in Edinburgh, but translated some works of Cuvier, and lectured on medical subjects. In politics an ardent Whig, he formed the acquaintance of Jeffrey, Brougham, Horner, and other Whigs of his own age. In 1801, on the recommendation of Lord Lauderdale, he travelled on the Continent with Lord Holland; remaining abroad till 1805, he became on their return a regular inmate of Holland House. He is best

known in the social life of that great Whig centre, the history of which has so frequently been written, and which was so well known as originating all the earlier Whig intrigues. His literary work was chiefly directed towards the elucidation of the constitutional position of Scotland in the United Kingdom. He was Warden of Dulwich College, 1811-20, and Headmaster, 1820-43, in which year he died on April 10, at Lady Holland's house in London.

ANNANDALE, LORD. James Hope Johnstone, the third Earl of Hopetoun, was born in 1741, and entered the Army in 1758, being present at the battle of Minden. In 1781 he succeeded his father as Earl of Hopetoun, and in 1784 was chosen a representative peer. In 1792 he succeeded his grand-uncle as Earl of Annandale. In 1809 he was created Baron Hopetoun in the peerage of the United Kingdom. He was Lord-Lieutenant of Linlithgowshire. Died May 29, 1816.

ANSTRUTHER, SIR J.

ARGYLL, DUKE OF. John Campbell, the fifth Duke, was born 1723, succeeded to the title November 9, 1770, and died May 24, 1810.

ARMISTEAD, MRS., was for some time mistress to Charles James Fox, who married her September 28, 1795, at Wytton, in Huntingdonshire, keeping the marriage a secret until 1802.

ATHOLL, DUKE OF, John, K.T., the fourth Duke, was born June 30, 1755, and succeeded to the title November 5, 1774.

BAILLIE, MATTHEW, was born at Shotts in Lanarkshire, October 27, 1761, his father being minister of the parish, and his mother sister to the Hunters. He was educated at the Grammar School, Hamilton, and at Glasgow University. On the advice of his uncle he studied for the medical profession at Balliol College, Oxford. He is best known by his lectures and writings on morbid anatomy. In 1799 his practice had increased to so great an extent that he gave up lecturing. He was appointed physician extraordinary to George III. Died September 23, 1823.

BAILLIE, HELENA, of Olive Bank, Musselburgh, was sister of Admiral Sir Charles Douglas, and on the death of his wife brought up his children and took charge of their education.

BALDWIN, GEORGE. Of his early life nothing is known, except that he was extremely fond of travelling, and is first mentioned as being in Cyprus in 1760. In 1768 he returned to England. In 1773 he went to Egypt, and succeeded in opening a direct trade between that country and England. He returned to England in 1781 in a destitute condition, having been plundered at Antioch. Being appointed Consul-general to England, he took up his duties in

196 GENERAL APPENDIX

Alexandria, December 18, 1786. His office was abolished about 1796. He was a writer on various subjects, more especially on Animal Magnetism, etc. Died February 19, 1826.

BALFOUR, ANDREW.

BALFOUR, ARTHUR, Major.—Appears in Court Guide, 1800-1804, as *Balfour, Arthur, Esq.*, of 31 Portland Place, having retired from the East India Service.

BALLANTYNE, JOHN, was younger brother of James Ballantyne the printer, and was born at Kelso, 1774. For a time he was in Currie's Banking House, London, but returning to Kelso in 1795 he went into partnership with his father as a general merchant, the partnership being dissolved in 1797 when he married, and a considerable portion of the business assigned to him. Getting into difficulties, he in 1806 entered his brother's printing business in Edinburgh at a salary of £200 a year, and when Scott entered into partnership with them was made managing director, with a salary of £300 and a quarter share in the profits. The firm was soon in difficulties, and ruined Scott. In 1813 Ballantyne became an auctioneer. He died insolvent, June 16, 1821.

BANKS, SIR JOSEPH, was born in London, February 13, 1743, and educated at Harrow, Eton, and Oxford.

He showed great interest in natural history, and more especially in the study of botany. In May 1766 he was elected a fellow of the Royal Society, and in the summer of that year went to Newfoundland to collect plants. He accompanied Captain Cook's expedition, which left England, August 25, 1768, and observed the transit of Venus, which took place June 3, 1769, particulars of which he published in the *Philosophical Transactions*. Leaving Tahiti, the expedition next proceeded to New Zealand and Australia. On June 10, 1770, the *Endeavour* struck on a reef, and was with great difficulty refloated and taken into harbour for repair. They next went to New Guinea and the Malay Archipelago, sailing for England, December 27, and landing at Deal, June 12, 1771. He was elected President of the Royal Society in November 1778, and held that position till his death. In 1781 he was created a baronet. Died June 19, 1820.

BEATSON, ROBERT, was born at Dysart in 1742. He entered the Army as a subaltern in the Royal Engineers, being present in the unsuccessful operations against Rochefort in 1757, and also in the expeditions against Martinique and Guadaloupe in 1759. He is said to have retired on half-pay in 1766, and from that time devoted himself to agriculture and military history. Died in Edinburgh, January 24, 1818.

BEDFORD, DUKE OF. John Russell, the sixth

Duke of Bedford, was born in 1739. He was an officer in the Militia from 1778-1781, and an ensign in the Guards 1783-1785. He soon turned his attention to politics, and joined the Whigs. As Lord John Russell he was elected to the House of Commons as member for Tavistock in 1788, sitting for the constituency till March 2, 1802, when he succeeded his brother as Duke of Bedford. He was Lord-Lieutenant of Ireland, 1806-7, when he retired with his colleagues, and thenceforth took little interest in politics, turning his attention to agriculture. Died October 20, 1839.

BEDFORD, DUCHESS OF. Georgiana, the fifth daughter of the Duke of Gordon, married the Duke of Bedford, June 23, 1803. She died in 1853, having had seven sons and three daughters.

BELL, GEORGE JOSEPH, was born March 26, 1770, and in 1791 was admitted Advocate. He early devoted himself to the study of Scotch Mercantile Law, and published important works on that subject. In 1822 he was elected professor of Scots Law in the University of Edinburgh, and in 1823 was appointed on a commission which brought about the passing of the Scottish Judicature Act in 1825. He was again on a commission in 1833, which led to the reform of Scotch Bankruptcy Law. Throughout his life he was a friend of Francis Jeffrey. Died in 1843.

BELL, JOHN, was born in Edinburgh, May 12, 1763, and educated at the High School of that city. He became a pupil of Alexander Wood, an eminent surgeon, and in 1786 became a fellow of the Royal College of Surgeons, Edinburgh. In 1790 he commenced as a lecturer on anatomy and surgery, but owing to his unorthodox views met with great opposition from his fellow-practitioners. He, however, built up a large practice, and published various anatomical works, which led to great improvements in the surgical art, and for twenty years was the leading operating surgeon in Edinburgh. He died of dropsy at Rome, April 15, 1820.

BELL AND RANNIE, an old established firm of wine merchants in the middle of the eighteenth century, carrying on business in London and Edinburgh, whose books recording this period have unfortunately been destroyed.

BERESFORD, JOHN, was the second son of Marcus, Earl of Tyrone, and was born in Dublin, March 14, 1738, being educated at Kilkenny and Trinity College, Dublin. In November 1760 he married Constantia Ligondes, of Auvergne, a niece of the Countess Moira. Returned to the Irish Parliament as member for Waterford in 1760, he represented that constituency till his death. In 1770 he was made one of the Commissioners of Revenue. He became so powerful politically as to be known as the 'King of Ireland.' After the Union he continued

to represent Waterford in the Imperial Parliament, retaining office till 1802, and being engaged in adjusting the fiscal arrangements between the two countries. Died November 5, 1805.

BERRY, SIR EDWARD, was born April 17, 1768, and in 1779 was appointed as a volunteer to the *Burford*, 70, then on her way to the East Indies, where she remained till 1783. He was made a Lieutenant, January 20, 1794, as a reward for gallantry in boarding a French ship, and further distinguished himself on the 1st of June. In May 1796 he was appointed by Sir John Jervis (under whom he had previously served) to the *Agamemnon*, 64, commanded by Nelson, whose esteem he soon secured, and whom he followed to the *Captain* as a volunteer, having on November 12, 1796, been promoted Commander, and was thus present at the battle of St. Vincent. When the order was given to board the *San Nicolas*, Nelson writes:—‘The first man who jumped into the mizzen chains was Captain Berry, late my first lieutenant (Captain Miller (of the *Captain*) was in the very act of going also, but I directed him to remain); he was supported from our spritsail-yard which hooked in the mizzen-rigging . . . Captain Berry assisting me into the main chains. At this moment a Spanish officer looked over the quarter-deck rail, and said they surrendered.’ Berry was promoted Captain, March 6, 1797, and in October was presented to Court by Nelson, who, on being condoled with by the King for the loss of his arm,

said he had not experienced great loss, as this officer was his right hand. He was flag-captain of Nelson's ship the *Vanguard*, at the battle of the Nile. Sent home in the *Leander*, 50, with Nelson's despatches, he had the ill-fortune to be captured, after a sturdy resistance, by the *Généreux*, 74, being severely wounded. He reached England in December, and was received with great enthusiasm, being knighted December 12. In 1799 he was appointed to the *Foudroyant*, and while in command assisted in the capture of the *Généreux* and *Guillaume Tell*—the last surviving French ships from the Nile—soon after which he returned to England. Appointed to the *Agamemnon* in 1805, he reached Cadiz just in time to take part in the battle of Trafalgar, and in 1806 he was made a baronet. He was promoted Rear-Admiral, July 19, 1821, but never hoisted his flag. Died February 13, 1831.

BLACK, DAVID.

BLACKSTONE, SIR WILLIAM, was born July 10, 1723, and when twelve years of age, being an orphan, was left to the care of his brother, a London surgeon. He was educated at Charterhouse and Oxford, and was known as a poet of some merit. In 1741 he was entered at the Middle Temple as a student, and on this occasion wrote a poem, 'The Lawyer's Farewell to his Muse,' in spite of which he continued to write on various subjects, and even occasionally so far neglected his vow as to write in verse. He was

called to the Bar in 1746, but for a long time had little success,—facile with the pen, he was tedious with the tongue. In 1749 (only three years after his call) he succeeded an uncle as Recorder of Wallingford, and was also bursar of his college at Oxford and steward of its manors. To these posts he applied his legal knowledge with great success, and in defending the position he took up regarding various difficulties was again led into print. In 1752 he lectured at Oxford on English Law, and in 1758 became the first professor of that subject. In 1761 he entered Parliament, representing the rotten borough of Hinton, Wiltshire, and in the same year was appointed Principal of the New Hall Inn. He now rose rapidly in his profession, and in 1763 was Solicitor-General to the Queen. In 1765 appeared the first volume of the great work on which his fame rests, the *Commentaries on the Laws of England*—a book which, whatever its faults, led to real study on the part of lawyers, and paved the way to great improvements in the law. In February 1770 he was made a Judge of the Common Pleas, but for a few months sat in the King's Bench. It was largely owing to his efforts that reforms were made in the administration of Criminal Law. Died February 14, 1780.

BLAIR, ROBERT, of Avonton, was born in 1741 at Athelstaneford. Educated at the Grammar School, Haddington, he there formed a friendship with Henry Dundas (Lord Melville), a friendship which lasted for life. His education was completed at the

High School, and then the University, of Edinburgh. Admitted Advocate in 1764, he soon acquired a good practice, and in 1789 was appointed Depute-Advocate and Solicitor-General for Scotland, which offices he retained until the death of Pitt in 1806, while in 1801 he was elected Dean of the Faculty. In 1808 he became President of the College of Justice. Died suddenly, May 20, 1811.

BONAPARTE, LUCIEN, was born at Ajaccio in Corsica, March 21, 1775, and was a brother of Napoleon. Educated at Autun, Brienne, and Aix, on his return to Corsica he was sent as a member of a deputation to solicit the aid of the French Republic, and, settling in Saint Maximin, obtained employment in the commissariat, and was elected President of the Republican Committee of that town. In 1795 he was appointed Inspector of military stores at Saint Chamans, and later as Commissary to the Army of the North. In this capacity he spent some time in Brussels and in Holland. In 1798 he was elected deputy to the Council of Five Hundred, and in the following year became President of the Council. After the *coup d'état* he was appointed Minister of the Interior, and some twelve months later was Ambassador to Spain. He embarked for America August 1, 1810, but being captured by an English cruiser was brought to England, where he remained till 1814. In 1815 he was arrested at Turin and spent three months in prison, when he was allowed to proceed to Rome. Died June 29, 1840.

BOUVERIE, SIR HENRY FREDERICK, was born July 11, 1783, and gazetted ensign to the Coldstream Guards, October 23, 1799. He served with this regiment in Egypt under Sir Ralph Abercromby, and in 1807 was A.-D.-C. to the Earl of Rosslyn at Copenhagen. In 1809 he accompanied Sir Arthur Wellesley in the same capacity to Portugal, and was present at the passage of the Douro and the battle of Talavera. On his promotion to Captain and Lieutenant-Colonel in 1810 he joined Lord Wellington's personal staff, and was present at the battles of Salamanca, Vittoria, the Nive, etc. On the conclusion of the war he was promoted Colonel in the Army, June 1814, and made K.C.B., January 1815. He was promoted Major-General 1825, and 1836-43 was Governor-General of Malta. Died suddenly, November 14, 1852.

BOWMAN, MICHAEL, surgeon, received his diploma, May 1788, and in July of that year was a member of the Corporation of Surgeons of London. In 1800 he lived in Titchfield Street, moving to Harley Street in 1803, where he continued to practise until 1832, in which year he appears to have died, his name not appearing in either the London or the Medical Directories of later dates.

BOWMAN, MRS.

BOYD, HUGH, was the second son of Alexander Macaulay, and was born at Bally Castle, County

Antrim, Ireland, October 1746. He was educated in Dublin, and took his degree M.A. in 1765. On the death of his father he came to London to read for the Bar, becoming acquainted with Goldsmith and Garrick. Visiting Ireland in 1768 he wrote some political letters which had a considerable vogue, and soon became a regular contributor to the political press. In 1781 he was appointed Secretary to Lord Macartney, Governor of Madras. In India he continued his journalistic career, and died October 19, 1794. By some of his partisans he was believed to have been the author of the celebrated 'Junius' letters.

BOYLE, DAVID, the fourth son of the Hon. Patrick Boyle of Shewalton, was born July 26, 1772, and admitted Advocate, December 14, 1793. On May 9, 1807, he was gazetted Solicitor-General for Scotland, and in the following month was returned to the House of Commons as member for Ayrshire. February 23, 1811, he was appointed Lord of Session and of Justiciary, and on October 15, Lord Justice-Clerk, which office he held nearly thirty years, being then appointed Lord Justice-General and President of the Court of Session. He resigned in May 1852, and died February 4 in the following year.

BOYS [misspelt in letter 'Boyce.']

BRANDRETH.

BREADALBANE, LORD. John Campbell, the fourth Earl, was born March 1762, and entered the Army, where he rose to the rank of Major-General. He succeeded to the title January 26, 1782, and was elected a representative peer in 1790, 1796, and 1802. November 13, 1806, he was created a Baron of the United Kingdom, with the title of Baron Breadalbane of Taymouth, Perthshire. He was created Marquis of Breadalbane and Earl of Ormelie, September 12, 1831. Died March 23, 1834.

BROUGHAM, ELEANOR, mother of the Lord Chancellor, was the daughter of Dr. Syme and niece of Principal Robertson. All who knew her speak highly of her character, and throughout her life she did all that was possible to add stability to the character of her brilliant but eccentric son. The reverence in which he held her is visible at every mention of her name in his voluminous writings.

BROUGHAM, HENRY (senior), the father of Lord Brougham, was educated at Eton, and succeeded to his estate while quite young. On leaving Eton he travelled on the Continent for some years, and on his return to England became engaged to his cousin, Mary Whelpdale, who, however, died the day before the wedding was to have taken place. He once more went abroad, and on his return paid a visit to Lord Buchan of Dryburgh, then living in Edinburgh. He here met Dr. Robertson and his sister Mrs. Syme, whose daughter, Eleanor, he

married. He lived in Edinburgh the remainder of his life.

BROUGHAM, JAMES, brother of the Lord Chancellor, was the second son of Henry Brougham, senior. Educated at Edinburgh University, he, like his brother, became a member of the Speculative Society. He was called to the English Bar, and in 1829 was returned to Parliament in the Whig interest as member for the borough of Tregony. He subsequently represented Downton in 1830, Winchelsea in 1831, and Kendal 1832-3. In 1832 he was appointed to sinecures—Registrar of Affidavits with a salary of £1700, and Clerk of Letters Patent with a salary of £750, the duties being performed by deputy. The influence he possessed over his brother was very great, as the following passage from the *Creevey Papers* shows:—‘We expect to hear to-day of James Brougham’s death. There is much speculation abroad whether the event will drive the Chancellor mad. It is quite true that his brother’s influence over him was as unbounded as it was miraculous, for no one ever discovered the slightest particle of talent in James of any kind. That he was his secret instrument, spy, or anything else, upon every occasion, I am quite sure.’ He died at Brougham Hall, December 22, 1833.

BROUGHAM, JOHN, brother of Lord Brougham, was a wine merchant in Edinburgh, and agent for the Pelican Life Office, 19 Parliament Square, 1816-

1819. It has been stated that he went bankrupt and that Lord Brougham paid his debts. On the other hand, this has been denied. Died at Boulogne, October 4, 1829.

BROUGHAM, PETER, brother of the Lord Chancellor. In his *Memoirs*, Lord Brougham gives an account of the duel in which Peter was killed, and describes how he tried to have Campbell indicted for murder. All that is clearly known of Peter is that he was one of the cadets for the season 1799-1800, was posted to the Madras establishment, that he sailed from Torbay in the East Indiaman *Queen*, May 3, 1800. They put into San Salvador for water about July 1; on the 9th the *Queen* was burned, and on the 11th Peter Brougham and Walter Campbell, the second mate of the *Queen*, fought a duel in which the former was killed.

BROUGHTON, WILLIAM ROBERT, served as a midshipman in the Navy on North American and West Indies stations, and as Lieutenant in the *Burford* was present in several engagements. Being appointed to command the *Chatham*, brig, to accompany Vancouver on his discoveries, he spent some time in surveying the Columbia river. In 1793 he returned to England with despatches, and was at once sent back to North America in command of the *Providence*. For four years he was engaged in surveying the coast of Asia, and for his services was posted January 28, 1797, while in May the same

year the *Providence* struck a reef near Formosa and was lost. Every one was saved, and Broughton continued his survey till May 1798, when he returned to England. In 1804 he published an account of his voyages. In 1809 he commanded the *Illustrious* in the expedition under Lord Gambier, and in 1810 went out to the East Indies, where he was present at the reduction of the Mauritius. In 1811 he was in command of the expedition against Java, but was superseded by the Hon. Robert Stopford, and returned to England. Died suddenly at Florence, March 12, 1821.

BRUCE OF ARNOT.

BRUCE, JENNIE.

BRUCE, MICHAEL, was the fifth child of Alexander Bruce, a weaver, and was born March 27, 1746. His father coming into a small sum of money expended it on his son's education, sending him to Edinburgh University in 1762. In 1765 he became Schoolmaster at Gairney Bridge, not far from his native place. In his lifetime he published many ballads, etc., and after his death, July 6, 1767, many further poems, etc., attributed to him were published, though as to the authorship of some there has been considerable controversy.

BRYCE, SIR ALEXANDER, entered the Royal Military Academy, Woolwich, as a cadet, October

7, 1782, passing out as a second lieutenant, Royal Artillery, August 25, 1787. For some time he was employed in survey work, and in March 1789 he was transferred to the Engineers, of which corps he became a Captain in 1794. Having served for some years in North America and the Mediterranean, he was Senior Officer of Engineers under Sir Ralph Abercromby in Egypt. For his services there he was given the brevet rank of Major. He was in command of a detachment in the attack on Damienti, and of the Engineers in the Naples Expedition 1809, and also in the defence of Sicily against Murat. In 1814 he became Brigadier-General, Major-General in 1825, and in 1829 was appointed Inspector-General of Fortresses. He died October 4, 1832.

BRYCE, WILLIAM, was the son of the Reverend Alexander Bryce of Kirknewton. Licensed by the Presbytery of Edinburgh, July 30, 1794, he was ordained, September 28, 1796, and became minister at Aberdour, which living he held till his death. In 1820 he was an unsuccessful candidate for the church of Greyfriars, Edinburgh, and in 1824 was nominated one of the Deans of the Chapel Royal. Died September 22, 1841, in his seventy-second year.

BRYDONE, PATRICK, was born about 1741 in Berwickshire, and in his early youth evinced a strong inclination for a military career. While still a young man the discoveries of Dr. Franklin attracted his attention, and he commenced experimenting. In

1768 he became travelling tutor to a Mr. Beckford of Somerby, and in 1770 went with him through Sicily and Malta, publishing a book on his travels when he returned to England in 1771, and being elected F.R.S. (London and Edinburgh) and F.S.A. Admiral Sir Charles Adam married his daughter. Died at Lennel House, Berwickshire, June 19, 1818.

BUCHAN, DAVID, EARL OF, was born June 1, 1742, and educated at home till he went to Glasgow University. In 1766 he was appointed Secretary to the Embassy in Spain, but never took up his appointment. Succeeding his father in 1767, he devoted his attention to the improvement of his estates, and in reforming the mode of election of Representative Peers, succeeding in abolishing the system which had grown up, by which they were practically chosen by the Government of the day. In 1780 he established the Society of Antiquaries of Scotland. He was a frequent contributor to the magazines of the period, and was brother of Lord Erskine. Died April 19, 1829.

BULLER, SIR FRANCIS, was born March 17, 1746, and educated at Ottery St. Mary Grammar School. In 1763 he married Susanna, daughter and heiress of Francis Yarde, and in the same year was entered at the Inner Temple as a pupil of William Henry Ashurst, the special pleader. He took out his certificate as special pleader, and acquired a good practice, and in 1772 was called to the Bar, in 1777 being

created King's Counsel, and appointed second judge of the County Palatine of Chester. May 6, 1778, he was made a puisne judge of the King's Bench. On the Bench his manner was much resented, and at times his impartiality was said to be open to doubt. He was created baronet, January 13, 1790, and in 1794 took his place in the Common Pleas. Died June 5, 1800.

BURDETT, SIR FRANCIS, was born January 25, 1770, and educated at Westminster and Oxford, subsequently travelling in France and Switzerland, and becoming imbued with revolutionary opinions. In 1793 he returned to England and married Miss Coutts, daughter of the Banker, and in 1796 was returned to Parliament as member for Boroughbridge. He took a leading part in the opposition to the suspension of the Habeas Corpus Acts. In 1807 he was returned for Middlesex, which seat he held for thirty years. Coming into conflict with the House of Commons, he was committed to the Tower on the Speaker's warrant, and in 1820 was prosecuted for a speech made on the 'Peterloo Massacre,' being sentenced to three months' imprisonment and a fine of £2000. Died January 23, 1844.

BURNET, GILBERT, was born in Edinburgh, September 18, 1643, and educated at the Marischal College of Aberdeen. He travelled on the Continent, and on returning to England became involved in the political dissensions of the day. May 9, 1667, he

became Clerk of the Presbytery of Haddington, and in 1671 married Lady Margaret Kennedy, daughter of the first Earl of Cassillis. Settling in London in 1674, he soon became a popular preacher. Owing to his political opinions, however, he went abroad and remained there till William of Orange invaded England, when Burnet accompanied and supported him, being rewarded with the Bishopric of Salisbury. He was a voluminous political writer. Died March 7, 1715.

BURNETT, JOHN, was born 1764. Admitted Advocate, December 10, 1785; appointed Advocate-Depute in 1792, and Sheriff of Haddington in 1803. In 1810 he became Judge-Admiral of Scotland, and died in December of the same year.

BURNIE, MR., a member of the firm of Longham and Burnie, which carried on the business of East India agents, outfitters, etc., at 10 Copthall Court, London.

BURRARD, SIR HARRY, was born June 1, 1755, and became an ensign in the Coldstream Guards 1772, being promoted Lieutenant and Captain in 1773. In 1777 he exchanged into the 60th Regiment, serving with it for two years in the American War under Sir William Howe, and again under Lord Cornwallis in 1781 and 1782. He served with the Guards in Flanders as Lieutenant-Colonel, 1793-5, when he was promoted Colonel; Major-General, 1798,

and Lieutenant-General in 1805. In 1807 he was second in command in the Copenhagen expedition, and on his return was made a baronet. In 1808 he was sent out to supersede Sir Arthur Wellesley, and arriving immediately after the battle of Vimeira countermanded the orders Sir Arthur had given for the pursuit of the enemy. Superseded in turn by Sir Hew Dalrymple on the following day, he and the other two generals were called before a Court of Inquiry, held to inquire into the Convention of Cintra. Died October 18, 1813.

BURT, HENRY, of Barns, was the factor of Blair Adam estate, and had been sent to Norfolk by John Adam to learn an improved system of farming.

CADDELL.

CADELL AND DAVIES. This firm consisted then of Thomas Cadell the younger and his partner William Davies. Born in 1773, Cadell took over his father's business in 1793, his father making Davies a partner to supply the experience his son lacked. Cadell died in 1836, when the business was discontinued. Davies when he became a partner had already held an important post under the elder Cadell. The firm was fairly prosperous, but never seems to have been of any great importance. For many years one of the stock-keepers to the Stationers' Company, Davies died April 28, 1820.

CALVO DE ROZAS, DON LORENZO, was a citizen of Madrid, Governor of the Army of the kingdom of Aragon, and member of the Spanish Junta for Aragon.

CAMDEN, LORD, Charles Pratt, was born in 1713, and educated at Eton and Cambridge. Called to the Bar in 1738, he joined the Western Circuit, and in 1752 defended William Owen, who was charged with a libel on the House of Commons. In 1757 he was appointed Attorney-General, entering the House of Commons as member for the borough of Downton, which seat he held for four years. In January 1762 he was raised to the Bench as Lord Chief-Justice of the Common Pleas and knighted, while in July 1765 he was created Baron Camden, and July 30, 1766, became Lord Chancellor, which position he retained in spite of differences with his colleagues till it was taken from him January 17, 1770. In 1782 he was appointed President of the Council, retiring in 1783. Being reappointed a few months later, he continued in this office till his death, April 18, 1794. He was created Earl Camden and Viscount Bayham in May 1786.

CAMPBELL, SIR ILAY, of Succoth, was born August 23, 1734, and admitted Advocate, January 11, 1757. He soon had a considerable practice at the Bar, and was appointed Solicitor-General, 1783; the ministry, however, falling shortly afterwards. On the fall of the coalition ministry he succeeded Henry Erskine as

Lord Advocate, and about six years later was appointed President of the Court of Session, which post he held for nineteen years. On retiring from the bench he presided over the commissions inquiring into the state of the Courts of Law in Scotland, this work extending over nearly fifteen years. Died March 28, 1823.

CAMPBELL, ROBERT.

CAMPBELL, THOMAS, the poet, was born in 1777, and educated at Glasgow, where he at the same time acted as a private tutor. When twenty years of age he attended lectures at Edinburgh University and formed a circle of distinguished friends, Sir Walter Scott, Henry Brougham, and Francis Jeffrey being amongst them. In 1799 he published the *Pleasures of Hope*, and in 1805 received a Government pension of £200 a year. Other poems which he published are *Gertrude of Wyoming*, *The Battle of the Baltic*, and *O'Connor's Child*. He died at Boulogne, June 15, 1844, and was buried in Westminster Abbey.

CAMPBELL, WALTER, who was Peter Brougham's opponent in the fatal duel, was the second mate of the E.I.S. *Queen*. The *Queen* put in to San Salvador for water about July 1, 1800, and on July 9, Captain Craig, the ladies, and most of the officers on board went ashore, the *Queen* being burned in their absence. The duel was probably fought on July 11,

but no official record can be discovered. San Salvador at the time was under the protection of Portugal.

Campbell was second mate of the *Dundas*, 1800-1, and on October 20, 1803, was sworn in before the Directors of the East India Company as commander of the *Winchelsea*, subsequently commanding the *Nottingham* and other ships till 1818, when he appears to have retired. It is strange that the *Evening Mail* asked for by Brougham (*ante*, vol. i. p. 225), and which probably contained some account of the duel, cannot be discovered at any of the usual depositories, nor do they possess it at the *Times* offices.

CAMPO-SAGRADO [misread TAGNADO], MARQUIS DE, Lieutenant-General of the army and Inspector-General of the troops of the Principality of the Asturias.

CATTEAU - CALLEVILLE, JEAN PIERRE GUILLAUME, the author of *Tableau Général de la Suède* (published at Lausanne, 1790), wrote several other books, one of which was translated into English.

CATTY, LEWIS, French Master at the Royal Military Academy, Woolwich, and author of '*Exercises in French Grammar for the use of Gentlemen Cadets of the Royal Military Academy at Woolwich*, by Lewis Catty, first French Master in the above Academy, and author of the *Elements of French*

Grammar. London. Printed for G. and S. Robinson, 25 Paternoster Row, 1814.'

CAVE.

CHALMERS, WILLIAM, was educated at the Edinburgh University and was a member of the Speculative Society. He became a Writer to the Signet, and died in 1807.

CIBBER, COLLEY, was born in London, November 6, 1671, and was educated at the Free School Grantham, where he remained five years. In the Revolution he was a private soldier, but being disappointed in his hopes of receiving a commission he left the army and went to London, where he spent his time mostly at the theatre, and in 1690 went on the stage. He had no great success at first, though later he became well known. His first play, *Love's Last Shift*, was written in January 1695-6, and was immediately successful, and was followed by many others. In 1706-7 Cibber joined the Haymarket Company, but the following year rejoined his old company at Drury Lane, and in March 1708 he, Wilkes, and Estcourt acquired a share in the Patent. Died December 1757.

CLARKE, MARY ANNE, is supposed to have been born in 1776 in Chancery Lane. While very young she was married to a compositor of the name of Farquhar. Of her early life very little indeed is

known, and contemporary records are most conflicting. Early in 1803 she took a large house in Gloucester Place and gave most lavish entertainments, and it is from this time that her name was coupled with that of the Duke of York. He is said to have promised her £1000 a month, but was most irregular in his payments, in consequence of which she took many bribes for the exercise of her supposed influence over him in the bestowal of his patronage as Commander-in-Chief. In 1809 the question was brought before the House of Commons by Colonel Wardle, but the charges he brought against the Duke were considered not proven, though he resigned his post and broke off his connection with Mrs. Clarke. In 1809 Mrs. Clarke was prosecuted by Colonel Wardle for libel, but found not guilty; and she then threatened to publish the letters she had received from the Duke of York. This was prevented by a gift of £7000 and an annuity of £400.

In 1813 she was condemned to nine months' imprisonment for libel by Lord Ellenborough—a term which exercised the indelicate wit of the day, and was, moreover, considered unduly harsh and to have been inflicted by Lord Ellenborough in revenge for her retort at the trial to his sneering question, 'Under whose protection are you *now* living, madam?'—'I had hoped under that of Lord Ellenborough.' In 1815 she removed to Paris, and was much sought after for her wit and scandalous recollections. She died at Boulogne, June 21, 1852.

CLEPHANE, ANDREW, was the sixth son of George Clephane of Carslogie, and was born in 1778. A member of the Speculative Society, he was admitted Advocate, December 5, 1801, becoming Sheriff of Peeblesshire 1816, and of Fife 1820. A keen volunteer, as his letters show, he was from 1798-1801 a captain in the Kinglassie Volunteers. In an old book of anecdotes the following appears: 'A legal friend has told me of a celebrated circuit where Lord Hermand was judge, and Clephane Depute-Advocate. The party got drunk at Ayr, and so continued (although quite able for their work) till the business was concluded at Jedburgh. Some years after, my informant heard that this circuit had, at Jedburgh, acquired the permanent name of the "daft circuit."' He died in August 1838.

CLEPHANE, DAVID, one of the brothers of Andrew Clephane, is first mentioned as being a Captain in the 3rd Foot Guards, January 15, 1794, his rank in the army dating from January 26 in the following year. He was promoted Lieutenant-Colonel, September 1, 1795, and then commanded the 20th East Devon Regiment of Foot, and in 1800 the 68th Regiment. In 1804 he was a Major-General and held a command in Ireland.

CLEPHANE, GEORGE, was an ensign in the employ of the East India Company, his appointment being dated in 1800, when he was gazetted Engineer at

Dinapore, at which place he died probably in the early part of 1801.

CLEPHANE, HENRY, brother of Andrew Clephane, was a Second Lieutenant in the Edinburgh (Royal) Artillery Volunteers, June 1, 1797, and served with them till 1802, when his name drops out of the lists.

CLEPHANE, MISS.

CLEPHANE, MRS.

CLEPHANE, ROBERT, was in the Navy. He acquired post rank in 1811, but would appear never to have served afloat as Captain, and in 1814 his name drops out of the lists.

CLEPHANE, WILLIAM DOUGLAS M'LEAN, of Carslogie, was the twenty-first laird in the direct male line. He entered the Army, and in May 1790 was a Captain and Lieutenant-Colonel, holding the same rank in the 3rd Regiment of Foot Guards in 1792. He married Marianne, daughter of Lauchlan M'Lean of Torloisk, Mull, September 14, 1790, and in November of the same year, by royal licence, assumed the name of M'Lean. He was promoted Colonel in 1796, and served in the expedition to Holland, especially distinguishing himself, October 6, 1799, when with about six hundred men he drove three battalions out of a village, taking a number of prisoners and two cannon.

In 1801 he was promoted Major-General and Colonel of the 3rd Foot Guards, and in 1802 was elected M.P. for Kinross, retaining this seat till 1803 when he was made Lieutenant-Governor of Granada, where he died November 4, 1803. His funeral was said by the island papers to be the grandest ever seen in Granada. It is mentioned as a strange thing that he sold the last remaining portion of the ancient barony, and that in him the direct male line became extinct, there being daughters only by his marriage.

CLERK, JOHN, of Eldin, was the seventh son of Sir John Clerk of Penicuik, and was born there December 10, 1728. He was a successful merchant in Edinburgh, but is best remembered for his work on Naval Tactics and the controversy to which it gave rise. In 1753 he married Susannah, a sister of the brothers Adam, architects, and aunt of William Adam of Blair Adam. Died May 10, 1812.

CLERK, JOHN, Lord Eldin, the eldest son of the above, was born in April 1757. He was apprenticed to a Writer to the Signet on December 3, 1785. His talents early brought him a large practice, and on March 11, 1806, he was made Solicitor-General for Scotland, which position he only held twelve months. November 10, 1823, he was appointed ordinary Lord of Session, assuming the title of Lord Eldin. While at the Bar he was well known for his wit and sarcasm—employed as often against the

Judges as against the parties to the case. Perhaps the best of his recorded remarks is the celebrated one to Lord Meadowbank, who suggested to him in the course of a trial that he might occasionally employ the word 'likewise' as a substitute for 'also.' 'I beg your pardon, my Lord, but the terms are not always synonymous.'—'In every case.' Clerk, still dissenting, was asked to cite an instance of any difference. 'Well,' said Clerk, 'your Lordship's father was a Judge of Session. You are a Judge of Session ALSO, but not LIKE-WISE.' Died in Edinburgh, May 30, 1832.

CLERK, WILLIAM.

COKE, SIR EDWARD, commonly called Lord Coke, was born February 1, 1551/2, and educated at the Norwich Free School and Trinity College, Cambridge. In 1572 he was entered as a student of the Inner Temple, and was called to the Bar, April 20, 1578. He rapidly acquired a good practice, and was engaged in many great cases. In 1592 he was Recorder of London, and Solicitor-General; Speaker of the House of Commons, 1592-3; Attorney-General, 1593-4; Chief Justice of the Common Pleas, 1606; of the King's Bench, 1613. In 1600 he commenced the publication of his Reports, which finally extended to thirteen volumes. While at the Bar he was notorious for the brutal conduct of prosecutions in which he was engaged, especially in the case of Sir Walter Raleigh. On the Bench he

was recognised as one of the great upholders of the authority of the law, and it was he who defeated the King's intention of himself trying causes, while on many other occasions he came into conflict with the Crown concerning judicial affairs. Matters came to a climax in 1616, and he was removed from the Bench. In 1621-2 he was detained in the Tower for nine months, and only released under stringent conditions. He died at Stoke Poges, September 3, 1634, having for many years been one of the leading men in Parliament and the country, and was buried at Tittleshall, Norfolk.

COLEBROOK, COLONEL.

COLQUHOUN, SIR JAMES, of Luss, was the second baronet, and succeeded his father November 16, 1786. He was an Advocate and Sheriff-Depute of Dumbartonshire, and later one of the principal Clerks of Session. Died 1805.

COLQUHOUN, PETER LUDOVIC, was the second son of Sir James Colquhoun, the second baronet, of Luss. He was admitted Advocate, January 17, 1801, and died unmarried 1803.

Note.—In Debrett he appears as Patrick Ludovic.

CONOLLY.

CONSTABLE, ARCHIBALD, was born February 24, 1774, at Kellie, Fifeshire, and educated at the parish

school. In February 1788 he was apprenticed to Peter Hill, a stationer in Edinburgh, with whom he remained six years. In 1795 he commenced business on his own account, and went to London to inform himself of the state of the book trade, and apparently about 1797 commenced as a publisher in Edinburgh. In 1800 he brought out the *Farmer's Magazine*, and in 1801 the *Scots Magazine*. With the appearance of the *Edinburgh Review* Constable became one of the foremost publishers of the day, and also commenced his connection with Sir Walter Scott. They had a serious quarrel at one time, but after a reconciliation Constable proved himself a zealous and generous friend. He became involved in difficulties in 1826 along with the Ballantynes and Scott, and was made bankrupt. Died July 21, 1827.

CORNWALLIS, LORD. Charles, the First Marquis and Earl Cornwallis, was born December 31, 1738, and was educated at Eton. He joined the Grenadier Guards as ensign December 8, 1756, and after travelling on the Continent with a Prussian officer went to the Military Academy at Turin. In 1758 he was appointed aide-de-camp to the Marquis of Granby, and was present at the battle of Minden. In August 1759 he was promoted Captain in the 85th Regiment, and returned to England; while May 1, 1761, he was appointed Lieutenant-Colonel of the 12th Regiment, being in command of that regiment in many actions in the campaigns of 1761-2, succeeding his father as Earl Cornwallis,

June 23 in the latter year. In 1775 he was promoted Major-General, and February 10, 1776, was sent to America in command of seven regiments of infantry.

Here he showed great ability, and ably assisted in subduing the state of New Jersey, and after a short home leave was on April 21, 1778, appointed second in command to Sir Henry Clinton. In 1780 he was in charge of the successful operations in the Southern States. In 1781 he moved northwards to join with Clinton, but on October 19 was compelled to capitulate at York Town.

February 23, 1786, he was appointed Governor-General of India, and introduced many much-needed reforms, besides taking command in the third Mysore war, 1791-2, which ended in the overthrow of Tippoo Sultan.

He returned to England, February 3, 1794, and in 1795 was appointed Master-General of the Ordnance. In 1798 Cornwallis was appointed Viceroy of Ireland, and on September 9 General Humbert surrendered to him.

In November 1801 Cornwallis was appointed Plenipotentiary to negotiate peace with Napoleon, and in consequence the Treaty of Amiens was concluded.

In March 1805 Cornwallis was again sent to India as Governor-General and Commander-in-Chief, and died at Ghazipore, October 5, 1805.

CORRESPONDING SOCIETY, THE, was formed

about 1791, its object being to spread liberal opinions. Horne Tooke and many other members were tried for high treason at various times, and though the majority were acquitted, James Coigley was found guilty, he having corresponded with the French Directory, and was executed June 7, 1798.

COUTTS, THOMAS, was born September 7, 1735, and educated at the High School, Edinburgh. With his brother James he founded the banking-house of Coutts and Co., the Strand, London, and on the death of the latter in 1778, became sole owner. He was twice married. Died February 24, 1822.

CRADOCK, SIR JOHN FRANCIS, Lord Howden, was born August 12, 1762, and entered the Army as an ensign in the 4th Regiment of horse in 1777. Exchanging into the Coldstream Guards in 1779, he was, two years later, promoted Lieutenant and Captain, and in 1785 became Major in the 12th Dragoons. In 1790 he was in command of the 13th Regiment in the West Indies, and in 1791 was Quartermaster-General in Ireland. In 1793 he commanded two regiments in the expedition against the French West Indies, and for his services there was promoted Colonel. Promoted Major-General in 1798, he was present at Vinegar Hill and the capture of Wexford. He sat in the Irish House of Commons 1785-1800, when he was ordered to the Mediterranean on the staff of Sir R. Abercromby. December 21, 1803, he was appointed Commander-

in-Chief of the forces in Madras, but in consequence of a mutiny both he and Lord William Bentinck, the Governor, were recalled.

In December 1808 Cradock was in command of the troops in Portugal, but was soon superseded by Sir A. Wellesley, and from 1811-14 he was Governor at the Cape of Good Hope. In 1819 he was created Lord Howden in the Irish Peerage, and in 1831 in the peerage of the United Kingdom. Died July 6, 1839.

CRAIG.

CRAWFORD, GEORGE LINDSAY, was born in 1758, and succeeded his father, June 25, 1781. He was Lord-Lieutenant of Fifeshire and a Colonel in the Army. Died February 1, 1808.

CROWN AND ANCHOR. The Crown and Anchor meeting was a meeting held on the anniversary of Fox's birthday, the Duke of Norfolk in the chair. Others present were the Duke of Bedford, the Earls of Lauderdale and Oxford, and Messrs. Sheridan, Tierney, Erskine, and Horne Tooke. The chairman, in response to a toast, said:—"Gentlemen, give me leave to drink your health, and, before I sit down, give me leave also to call on you to drink our sovereign's health: "The Majesty of the People." For this he was dismissed from his post as Lord-Lieutenant of the West Riding of Yorkshire, and from the command of his regiment of militia.

CUNNINGHAME, F.

CUTHBERT, JACK.

DACRES, JAMES RICHARD, entered the Navy in 1762; was a Captain, 1780; Rear-Admiral of the Blue, 1799; Vice-Admiral of the White, 1805. Died in 1810.

DACRES, RICHARD, brother of the above, entered the Navy, 1775; was Post-Captain, 1795; Rear-Admiral, March 29, 1817; Vice-Admiral, 1830. Died in 1837.

DALRYMPLE, SIR HEW WHITEFORD, was born December 3, 1750. Entering the Army as ensign in the 31st Regiment on April 3, 1763, his promotion was rapid: Lieutenant, 1766; Captain, 1768; and Major, 1777; while through the influence of his stepfather he was knighted, May 5, 1779; promoted Lieutenant-Colonel, 1781; and Colonel, November 18, 1790; exchanging into the Grenadier Guards. He served in Flanders under the Duke of York in 1793-4, being present at the battles before Dunkirk, and was promoted Major-General. He was Lieutenant-Governor of Guernsey, 1796-1801, when he was promoted Lieutenant-General, and in 1806 was in command at Gibraltar. On the reinforcement of the army in Portugal he was given the command, arriving just in time to render the victory at Vimeira abortive. On the outcry in England

owing to the signing of the Convention of Cintra, the three Generals were recalled, a Court of Inquiry being held into their conduct, by which they were acquitted. Dalrymple never obtained another command. Died April 9, 1830.

DALRYMPLE, JAMES, was a Captain-Lieutenant and Captain in the Lothian Fencible Cavalry (East and West), June 20, 1798, which regiment appears to have been disbanded in 1799, as it does not occur in the Army Lists for 1800 and 1801.

DALRYMPLE, LADY.

DALZEL, ANDREW, was born October 6, 1742, and educated at Edinburgh University. On leaving he became tutor to the three sons of Lord Lauderdale, and with them attended the lectures of Professor Millar. In 1772 he was appointed joint-Professor of Greek to the Edinburgh University, and on the death of Hunter in 1779 became sole Professor. In 1783 he assisted in founding the Royal Society of Edinburgh, and in 1789 was elected principal clerk to the General Assembly. He resigned his chair in 1805, and died December 8, 1806.

D'ARTOIS, CHARLES PHILIPPE, the fourth and youngest son of the Dauphin Louis, son of Louis XV., was born at Versailles, October 9, 1757. In early life he was dissipated and extravagant, his conduct contrasting badly with that of his elder brothers. In

July 1789, on the exhortation of the King, he left Paris secretly and fled to Brussels, and from thence to Turin. Subsequently he visited Russia and other parts of Europe, eventually coming to England. On September 16, 1824, he succeeded to the throne of France as Charles X., and adhered to the principles of the old régime. He was deposed in 1830, and sailed for England, and remained about twelve months, finally retiring to Austria, where he died November 6, 1837.

DAVIDSON, JAMES.

DAVIDSON, ROBERT, was educated at the University, Edinburgh, where he became a member of the Speculative Society. He was admitted Advocate in 1798. Died in 1856.

DEBOSSE [misread in text DEBOFFE], J., a bookseller, lived in 7 Gerrard Street, Soho.

DEBRETT, JOHN, publisher, took over a business in Piccadilly in 1781, where his shop became a resort of the Whigs. His name is well known for the Peerages, etc., which still bear it. He retired from business about 1814, and died November 15, 1822.

DESPARD, EDWARD MARCUS, one of the many victims of English politicians, was born in Queen's County, Ireland, in 1751. In 1766 he entered the Army as ensign in the 50th Regiment, being pro-

moted Lieutenant in 1772 while with his regiment in Jamaica. Early showing his talents as an engineer, he was, in 1779, appointed engineer to the expedition to San Juan, and in Captain Polson's report to the Governor of Jamaica occurs this passage: 'There was scarcely a gun fired but was pointed by Captain Nelson of the *Hinchinbrooke*, or Lieutenant Despard, chief engineer, who has exerted himself on every occasion.' He was promoted Captain into the 78th Regiment, but still employed as engineer in Jamaica. In 1781 he was appointed Commandant of the Island of Rattan, and soon after of the Mosquito Coast and the Bay of Honduras. In 1782 he was given command of an expedition which took possession of all the Spanish settlements on the Black River, for which services he received the special thanks of the King, and by request of the Jamaican Assembly was made a Colonel of Provincials. By the treaty of peace in 1783 Spain granted the Peninsula of Yucatan to England on condition that the settlers should only cut logwood,—these conditions were in a few years considerably modified owing to Despard's services. His popularity with the settlers was now on the wane, as he refused to favour the old at the expense of the new immigrants; the result being that he was accused of cruel and illegal conduct by the chief of the older settlers. Though these accusations had no weight with the House of Assembly or Lord Sydney, who dismissed the charges as frivolous, the successor of the latter—Lord Grenville—suspended Despard and ordered

him to England. From 1790 to 1792 he was kept waiting to hear the charges formulated, in the latter year being informed there was no real accusation against him, but his post had been abolished, though he would not be forgotten. Obtaining no employment, he commenced to agitate and claim compensation, the result being that in 1798 he was imprisoned, no formal indictment being presented. In a few weeks he was released, but on the suspension of the Habeas Corpus Acts in the autumn of the same year he was once more imprisoned, remaining in custody till 1800. His ill-treatment undoubtedly turned his brain, and he entered into many wild plots against the Government, all of which appear to have been carefully supervised by Government spies. For one of these he was tried at the New Sessions House, Horsemonger Lane, and condemned to death. A most interesting point in connection with this trial is the fact that Nelson gave evidence in favour of his character, saying : ' We served together in 1779 on the Spanish Main ; we were together in the enemies' trenches, and slept in the same tent. Colonel Despard was then a loyal man and a brave officer.' On February 21, 1803, he was *drawn on a hurdle to the county gaol at Newington*, where he was hanged and his head cut off, though the other shameful mutilations prescribed by law were remitted.

DOUGLAS, ANNE IRVINE, daughter of Admiral Sir Charles Douglas by his second wife, married Rear-Admiral Donald Campbell, of Barbreck, in 1808, and

died in 1815. She and her brother were brought up by Mrs. Baillie (sister of Sir Charles Douglas) owing to their father's absence on duty.

DOUGLAS, SIR C.

DOUGLAS, DAVID, son of Colonel Robert Douglas of Strathendry, was educated at the University, Edinburgh, where he became a member of the Speculative Society. He was admitted Advocate, June 18, 1791, was Sheriff of Berwickshire, 1809-13, in which year he was raised to the Bench, November 20, on the death of Lord Craig. In July 1816 he succeeded Lord Meadowbank as a Lord of Justiciary, taking the title of Lord Reston. He died suddenly at Glendoick while on circuit.

DOUGLAS, GEORGE.

DOUGLAS, SYLVESTER, was born May 24, 1743, and was educated at the University of Aberdeen and Leyden University. He was admitted a student of Lincoln's Inn 1771, and called to the Bar 1776. In 1793 he was appointed King's Counsel, and soon after threw up his legal practice for a political career, becoming Chief Secretary for Ireland in 1794. In 1800 he was created Baron Glenbervie of Kincardine, in the Irish peerage. From 1801-4 he was Vice-President of the Board of Trade. In addition to his political work he published many books, especially on legal matters. Died May 2, 1823.

DRUMMOND.

DRUMMOND.

DRYSDALE, MARY, sole surviving daughter of the Reverend John Drysdale, D.D.

DUEL, THE, was fought on May 27, 1798, between Pitt and Tierney on account of expressions used by the former in the House of Commons. Pitt's second was Mr. Ryder, and Tierney's was George Walpole. Two shots were exchanged at twelve paces, neither of the duellists being injured. The Speaker (Addington) was said to have been a spectator of this duel.

DINGENAN, PATRICK, was born in Ireland 1735. Educated by the Protestant clergyman of the parish, he gained a scholarship at Trinity College, Dublin, in 1756, and took his degree M.A. in 1761, being elected to a fellowship. He was called to the Irish Bar 1767, and became K.C. in 1784. In 1790 he was elected to the Irish House of Commons. He was a strong Protestant and supporter of the Union, and strenuously opposed the Catholic claims. Died April 11, 1816.

DUNCAN.

DUNDAS, MR.

DUNDAS, HENRY, was born April 28, 1742, and

educated at the High School and University of Edinburgh, being admitted Advocate, February 26, 1763. In 1766 he was appointed Solicitor-General for Scotland, and in 1774 was elected as member of Parliament for Midlothian. He was strongly opposed to any concession to the American Colonies. Appointed Lord Advocate, May 24, 1775, he appeared regularly in the prosecutions for sedition. He was largely concerned with the impeachment of Warren Hastings, though he opposed it, and became President of the Board of Control of India. In the face of Pitt's opposition he insisted on the campaign in Egypt in 1801. In 1802 he was created Viscount Melville, and in 1804 became first Lord of the Admiralty, resigning in 1805 when the motion for his impeachment was carried. He was acquitted, but never again held office. Died May 28, 1811.

DUNDAS, ROBERT, of Arniston, was grandson of the elder, and eldest son of the younger Robert Dundas of Arniston. He was born June 6, 1758, and admitted Advocate in 1799, succeeding Sir Ilay Campbell as Solicitor-General for Scotland in 1784 and becoming Lord Advocate in 1789—a position his father and grandfather had held before him. From 1790 to 1796 sat as M.P. for Edinburgh. On June 1, 1801, he was appointed Chief Baron of the Exchequer in Scotland. He married, May 1787, Elizabeth, daughter of Henry Dundas, first Viscount Melville. Died June 17, 1819.

EDINGTON, COLONEL.

ELLIOT, GILBERT, the second Earl of Minto, was born at Lyons, November 16, 1782, being educated at Edinburgh and trained for the diplomatic service. In 1806 he was elected member for Ashburton, and sat for that constituency till 1814, when he succeeded his father in the House of Lords. In 1832 he went to Berlin as ambassador, and remained there for two years, being made G.C.B. In 1835 he became First Lord of the Admiralty, holding that office till 1841, during which period he distinguished himself by his nepotism. In 1846 he was Lord Privy Seal, and in 1847 he was sent on a mission to Italy. He finally left office in 1852, and died, after a long illness, July 31, 1859.

ELPHINSTONE, GEORGE KEITH. Viscount Keith was born January 7, 1745-6, and in 1761 was appointed to the *Gosport*, 74, commanded by Captain Jarvis, later Lord St. Vincent. In 1767 he went to China in one of the East India Company's ships, commanded by his brother William, and there laid the foundations of a considerable fortune. Joining the *Stag*, frigate, in 1769, he was promoted Lieutenant in June 1770, returning to England in October of the same year. In 1772 he was given command of the *Scorpion*, and was employed in her off the coast of Italy. In 1776 he was in command of the *Perseus*, and in 1780 served on shore at the reduction of Charlestown. He returned to England in 1782.

Having been elected to Parliament in 1780, he spent the next ten years in London attending to his parliamentary duties. In 1793, just as war again became imminent, he applied for a command, and was appointed to the *Robust*, 74, and was again employed on shore with success. Appointed Rear-Admiral, April 12, 1794, he hoisted his flag in the *Barfleur*, and in the following year was promoted Vice-Admiral and given command of the expedition to the Cape of Good Hope, returning to England in 1797. For his services here Elphinstone was created Baron Keith in the peerage of Ireland. On the outbreak of the mutiny at the Nore, Keith was appointed to the command of Sheerness, and was completely successful in restoring discipline. In 1798 he was sent to the Mediterranean, being second in command to Lord St. Vincent, but owing to the health of the latter giving way, Keith became Commander-in-Chief. While St. Vincent was in command, Keith had been unsuccessfully searching for the French fleet under Bruix, and the failure of his efforts has been much criticised. He was next engaged with Sir R. Abercromby in the Egyptian campaign; his promotion as Admiral took place in 1801, and for his services he was raised to the peerage of the United Kingdom. His further services were varied and useful, but it is to be observed that in all his career he was never present at an engagement of real importance. He died March 10, 1823.

ELPHINSTONE, WILLIAM, was the third son of

Lord Elphinstone, and younger brother of Lord Keith. He joined the Navy, but soon left and entered the service of the East India Company. In 1767 he was in command of one of their ships, and took his brother, later Lord Keith, to China, where by means of £2000 lent by a grand-uncle, they were enabled to lay the foundations of their fortunes. He was a director of the East India Company, 1800-2.

EMMETT, THOMAS ADDIS, was born at Cork, April 24, 1764. Educated at Trinity College, Dublin, where he took his degree in 1783, from thence he went to the Edinburgh University to study for the medical profession. Here he became a member of the Speculative Society, but was expelled in 1789 on account of his political opinions. After taking his M.D. degree at Edinburgh he went abroad, but on the death of his elder brother he determined to give up the medical profession and become a Barrister, being called to the Irish Bar in 1790, and soon taking a leading position in his profession. He joined the United Irishmen in 1795, and was arrested with most of the other directors, March 12, 1798. In March 1799 he and his fellow-prisoners were transferred to Fort George in Scotland, remaining there till 1802, afterwards going to Holland. In 1804 he went to the United States and joined the New York Bar, becoming General of the State of New York. Died November 14, 1827.

ERSKINE, HENRY, was born in Edinburgh,

November 1, 1746, and was educated at Glasgow and Edinburgh. He was admitted Advocate, February 20, 1768. In 1783 he was appointed Lord Advocate, but his party was dismissed before he obtained a seat in the House of Commons. In 1785 he was elected Dean of the Faculty of Advocates, which post he held for ten years, losing it owing to his opposition to the Sedition and Treason Bills in 1795. In 1806 he was again Lord Advocate, and this time entered Parliament, but the downfall of the ministry in the following year deprived him of office, and was the end of his Parliamentary career. He died October 8, 1817, leaving behind him a reputation for eloquence, honesty of purpose and opinion, wit and kindness surpassed by none.

ERSKINE, THOMAS, Lord Erskine, was born in Edinburgh, though there is some doubt as to the exact date. In 1764 he entered the Navy, and for four years was in the West Indies, being promoted Lieutenant in 1768, when he returned home, and bought a commission in the Army, but retired in 1775, and commenced to read for the Bar, being called July 3, 1778. His great eloquence led to a rapid rise in his profession, and many were the notable trials in which he was engaged. Erskine entered Parliament in 1783, being, like all his family, an ardent Whig. In Parliament his speeches were not so successful as at the Bar, and he was very much afraid of Pitt. In 1806 Erskine became Lord Chancellor, an appointment which was generally

condemned, as he knew nothing of Equity, and little of Real Property Law. On the Bench he proved himself a careful and painstaking judge, but deferred greatly to the opinions of his colleagues. After the dismissal of the ministry Erskine took little part in the affairs of Parliament, and died November 17, 1823.

ERSKINE, SIR WILLIAM, was born in 1769, and entered the Army as Cornet in the 15th Light Dragoons in 1786, becoming a Lieutenant in 1788, and Captain 1791. He was created a baronet in the same year, and served under the Duke of York in Flanders 1793-5. He was promoted Major in June, and Lieutenant-Colonel in December 1794. In 1796 he was elected M.P. for Fife, and again in 1802. In April 1808 he was promoted Major-General, and the following year took command of a brigade of cavalry in the Peninsula, and when Craufurd was invalided, Wellington gave him command of the light division. His eagerness in pursuit in 1811 nearly led to disaster on several occasions. In 1812 he commanded Hill's cavalry, but showing signs of insanity was ordered to leave the Army. He committed suicide in Lisbon, May 14, 1813.

EYRE, JOHN.

FERGUSON, SIR ADAM, the eldest son of Professor Adam Ferguson of Edinburgh University, was born in 1771, and educated at the University, Edinburgh,

where he was one of Sir Walter Scott's most intimate friends. In 1800 he entered the Army, and in 1808 became Captain in the 101st Regiment, serving in the Peninsular War. In the retreat from Burgos in 1812 he was taken prisoner, and was not released till the peace of 1814. In 1816 he went on half-pay, and in the following year, chiefly owing to Scott's influence, was appointed Keeper of the Regalia of Scotland. He was knighted August 29, 1822, and died January 1, 1855.

FERGUSON, JAMES, was the third son of Professor Adam Ferguson. He was born 1784. He entered the service of the East India Company in the Army, 1798, and saw considerable service. In later years he was a great friend of Sir Walter Scott, and his name occurs frequently in Lockhart's *Life of Sir Walter Scott*. He assisted Sir Walter with the *Chronicles of the Canongate*, and in his journal, September 16, 1827, Sir Walter writes :—' The ladies went to Church ; I, God forgive me, finished the *Chronicles* with a good deal of assistance from Colonel Ferguson's notes about Indian affairs. The patch is, I suspect, too glaring to be pleasing ; but the Colonel's sketches are capitally good.' In later life he suffered considerable monetary loss, but his good spirits never failed. Died unmarried, 1859.

FERGUSON, SIR RONALD CRAWFORD, was born at Edinburgh, February 8, 1773, and entered the Army as an ensign in 1790, being promoted Lieu-

tenant 1791, when he went abroad for two years to study his profession, being promoted Captain on his return in 1793, and served through the campaign in Flanders with great credit. In 1794 he was made Lieutenant-Colonel, and given command of the newly raised second battalion of the 84th Regiment, with which he went to India. In 1795 his regiment was sent to the Cape of Good Hope. In 1798 he married a daughter of Sir Hector Munro, returning to England in 1800, when he was promoted Colonel, and held a command in the attacks on Belle-Isle and Ferrol. He was in command of the York district in 1804, and in the following year commanded the Highland Brigade at the Cape under Sir David Baird. In 1808 he was in command of a brigade in the Peninsular War, being present at the battle of Vimeira, and having actually commenced the pursuit of the enemy when checked by Sir H. Burrard. He sat in Parliament for many years, and died in London, April 10, 1841.

FERGUSSON, JAMES, was born in 1769, and educated at the Edinburgh University. He was a member of the Speculative Society. Admitted Advocate in 1791, he became one of the principal Clerks of Session and Keeper of the General Record of Entails in Scotland. He wrote much on Scottish Law. Died 1842.

FERGUSSON, NEIL, of Pitcullo, a member of the Speculative Society. Advocate, 1773; Sheriff of Fife, 1800. Died 1803.

FERRIER, LEWIS, was educated at the University, Edinburgh, where he became a member of the Speculative Society. He was admitted Advocate 1798, became Collector of Customs at Quebec in 1830, and died 1833.

FINLAY.

FINLAYSON.

FITZGERALD, LORD E., the Irish patriot, fifth son of the twentieth Earl Kildare and first Duke of Leinster, was born in London, October 15, 1763. He was brought up mainly in France, to which country to the end of his life he was greatly attached. When sixteen years of age he returned to England, receiving a commission in the militia, and the following year became a Lieutenant in the 26th Regiment. In 1781 he exchanged into the 19th Regiment, serving with it in the war against the American Colonies, and returning to Ireland in 1783, when he entered the Irish Parliament as member for Athy. He was married in Paris in 1792, and in the same year was cashiered for his well-known but indiscreetly expressed revolutionary opinions. He returned to Ireland and joined the 'United Irish Society,' and in 1796 went on a mission to the French Government—this mission largely paving the way to the abortive invasion of Ireland by Hoche. Being seriously compromised in the Rebellion of 1798, he remained concealed for some

time, but was arrested on May 19, mortally wounding one of his captors, and himself being wounded and dying of his wounds in Dublin on June 4, 1798.

FITZGERALD, ROBERT STEPHEN, the fifth son of the Duke of Leinster, was born in 1765. He married Sophia Charlotte, daughter of Captain Charles Fielding, R.N., July 22, 1792, and by her had three sons and six daughters. He represented County Kildare, 1802-7. Died January 2, 1833.

FITZGIBBON, JOHN, Earl of Clare, was born in 1749, and educated at the Universities of Dublin and Oxford. He was called to the Irish Bar in 1772 and soon had a large practice. In 1778 he entered the Irish Parliament as member for the University, and for some time was on good terms with both sides of the House. In 1783 he was appointed Attorney-General. In many matters he was a strong supporter of the Government, and in 1787 was responsible for the Whiteboy Act, which gave the Government unusual powers for dealing with disturbances. In 1789 he was appointed Lord Chancellor of Ireland, and in 1793 received the earldom of Clare in Ireland, while in 1799 he was made a peer of Great Britain. He was noted on the Bench for his rapidity of decision, but was considered an able judge. He took a prominent part in the promotion of the Act of Union, and strongly opposed the claims of the Roman Catholics. He died January 28, 1802, being followed to the grave by a Dublin mob cursing and reviling him.

FOLKESTONE, VISCOUNT, was born in London, May 11, 1779, and was educated partly in France, and saw the earlier scenes of the Revolution there. In 1802 he was returned to Parliament as member for Salisbury, and sat for that borough until he succeeded as Earl of Radnor in 1828. He was an ardent Whig, and took a considerable part in the impeachment of Lord Melville. He died April 9, 1869.

FORBES, JOHN HAY. Lord Medwyn was born at Edinburgh in 1776, and admitted Advocate 1799. For some time was Sheriff-Depute for the county of Perth; member of the Speculative Society; Lord of Session, January 1825, assuming the title of Lord Medwyn. In December 1830 he was made a Lord of Justiciary. Died in Edinburgh, July 25, 1854.

FORBES, MISS.

FORBES, SIR WILLIAM, was born in Edinburgh, April 5, 1739, and entered the service of Messrs. Coutts's Bank in Edinburgh 1754, and after six years' service got a small share as partner. In 1763 a reconstruction took place, greatly to the advantage of Forbes. In 1773 Forbes had become practically the head of the business, and determined to confine his attention to banking alone, and was so successful as to withstand the panics of 1772, 1788, and 1793. Pitt fully recognised his ability,

and frequently consulted him, offering him an Irish peerage in 1799, which was declined. He died November 12, 1806, leaving a reputation for integrity, industry, and philanthropy.

FOSTER, JOHN, LORD ORIEL, was born in September 1740 and educated at Trinity College, Dublin. He entered the Irish Parliament in 1761, where he devoted his attention chiefly to commercial and financial affairs. April 23, 1784, he was appointed Chancellor of the Exchequer, and passed a Bill granting bounties on all corn exported, and imposing heavy duties on all corn imported into Ireland. August 15, 1785, he was elected Speaker, and again July 2, 1790. He strongly opposed the Bill for the relief of Roman Catholics, and also the Act of Union. He was elected to the Union Parliament, and for some time continued to look after financial affairs in Ireland. On July 17, 1821, he was created Baron Oriel of Ferrard. Died at Collon, Louth, August 23, 1828.

FOX, CHARLES JAMES, was born January 24, 1749, and in 1756 was sent to school at Wandsworth. In 1758 he went to Eton. In 1763 his father (well known for his eccentricity and gambling propensities) took the future statesman to Paris, and there introduced him to the fast society of the day. In 1764 Fox was sent to Oxford, leaving in 1766, and going abroad for some time. In 1768 he entered the House of Commons as member for Midhurst, and in 1770 joined Lord North's administration.

His early career in Parliament is chiefly noticeable owing to his speeches in favour of the curtailment of the licence allowed to the Press, and especially to the argument that it is not allowable to look for the trend of public opinion outside of the House of Commons. These opinions made Fox extremely unpopular, and his excesses prevented him gaining the respect of any party, though his abilities were recognised.

Fox's resignation was caused by the introduction of the Royal Marriage Bill, which he hotly opposed, though he soon rejoined the ministry. On the outbreak of the rebellion of the American Colonies, Fox warmly supported their cause. In 1779 he compared the King to Henry VI., and made a violent attack upon William Adam, which led to a duel between them, in which Fox was wounded.

In 1782 Fox became Foreign Secretary in Lord Rockingham's administration, but soon resigned, owing to a difference of opinion as to the terms of peace to be concluded with the United States. Shortly after the 'Coalition Ministry' was formed, with Lord North as Prime Minister, and from being one of the most popular men in the country Fox found himself one of the most unpopular, having forfeited the respect of all parties. His India Bill being defeated in the House of Lords, the King dismissed the ministry.

On the death of Pitt, Fox was once more in office in the ministry of 'All the Talents.' Died September 13, 1806.

FOX, ELIZABETH VASSALL, was born in 1770, and in 1786 was married to Sir Godfrey Webster, who divorced her, July 3, 1797. Three days later she married Henry Richard Vassall Fox, the third Lord Holland. Holland House very soon became the headquarters of the Whig leaders, and Lady Holland gathered round her a circle of statesmen, wits, and men of letters, unparalleled in the social history of England. Her manner was rude and overbearing, and on one occasion, at dinner, she sent a page to Macaulay with a message that he was to stop talking, as she 'wished to listen to Lord Aberdeen.' She died November 16, 1845.

FOX, HARRIET. (See extra appendix to follow.)

FOX, HENRY RICHARD VASSALL, was born November 21, 1773, and was brought up by his uncle, Charles James Fox, the statesman. He was educated at Eton and Oxford, and then for some years lived abroad, where he met Lady Webster, with whom he returned to London, marrying her after she had been divorced by her husband. He was an ardent politician and a Whig. In 1806 he was Lord Privy Seal in the cabinet of 'All the Talents.' In 1830-4 he was Chancellor of the Duchy of Lancaster, and again from April 23, 1835, to his death, which took place at Holland House, October 22, 1840.

FRERE, BARTHOLOMEW, was born in 1778, and educated at Trinity College, Cambridge. In 1801 he was appointed Secretary of Legation at Lisbon, and served in the same capacity at Madrid, 1802-5, and Berlin, 1805-7, when he became Secretary to the Embassy at Constantinople. Returning to Spain in 1808, he acted as Minister-Plenipotentiary at Seville and Cadiz for some months. The remainder of his diplomatic career was spent in Constantinople. In August 1821 he retired on a pension, and died in London, May 29, 1851.

GARAY, DON MARTIN DE, was born in Aragon about 1760. He was a member of the Spanish Junta for Estramadura, Governor of Estramadura, Honorary Minister of the Council of War, and Chief Secretary-General and Provisional Secretary of State Affairs. Died 1822.

GASCOIGNE, MRS.

GENLIS, COMTESSE DE, was born near Autun in France, January 25, 1746. In 1758 she and her mother removed to Paris, where in 1762 she was married to the Comte de Genlis, later Marquis of Sillery. In 1770 she became lady-in-waiting to the Duchess of Chartres, and in 1781 was appointed as *gouverneur* to the sons of the Duke of Orleans. When the Revolution broke out she was favourable to the movement, and is supposed to have exercised considerable influence over the conduct of the Duke

of Orleans. Her husband was one of the victims of the Revolution, and from 1793-99 she herself was compelled to live abroad. She died December 31, 1830, leaving over eighty publications on educational and other matters.

GILLIES, ADAM, was born in 1760, and was admitted Advocate, July 14, 1787. He was a member of the Speculative Society. In 1806 he was appointed Sheriff-Depute of Kincardineshire, in November 1811 an ordinary Judge of Session, and on July 10, 1816, a Lord Commissioner of the Scotch Jury Court. In 1837 he was appointed a Judge of the Court of Exchequer in Scotland, and died December 24, 1842.

GODOY, MANUEL DE, commonly called the 'Prince of Peace,' was born of poor but noble parents at Badajoz, May 12, 1767. In 1784 he went to Madrid, and having found favour with the Queen, advanced rapidly, becoming Prime Minister in 1792. Declaring war against France, the Spaniards, though at first successful, were finally defeated, and Godoy negotiated the terms of peace embodied in the Treaty of Basle, signed July 22, 1795. Forming an alliance with France in the following year, he involved Spain in a war with England. The honours heaped upon him by the King, and his marriage (said to be bigamous) with the King's niece, caused great jealousy on the part of the nobles and unpopularity with the people, and the Spaniards attributed their defeat at Trafalgar to him.

On the invasion of Spain by the French in 1808, Godoy was seized by the mob, his life being saved with great difficulty. In April he was removed to Bayonne, and on May 5 he signed the deed of abdication for Charles IV., thereby forfeiting his estates. On the death of Charles, Godoy removed to Paris, where he resided until his death, October 4, 1851.

GORDON, JOHN, was educated at the University of Edinburgh, and at Cambridge. He was admitted Advocate in 1801, was a member of the Speculative Society, and in 1803 joined the 67th Regiment, then stationed in Ireland. Died in 1826.

GORDON, MRS.

GRAHAM.

GRAHAM, GEORGE.

GRAHAM, MRS. GEORGE.

GRAHAM, JAMES, an advocate, was retained for the defence of Angus Cameron and James Menzies, as well as for that of Maxwell in the sedition trials at that time so numerous in Scotland. He was a Republican Whig and published *The Sabbath* and other poems. He is said by one of his contemporaries to have been 'Too good for the law, and indeed too benevolent for this world—the

patron of birds, beggars, slaves, and of all beautiful or oppressed creatures.' He abandoned his profession, and died an Episcopal clergyman in 1811.

GRAHAM, MRS. JAMES.

GRAHAM, TOM.

GRANT, ANDREW.

GRANT, CHARLES, was born April 16, 1746, his father, Alexander, being killed the same day at the battle of Culloden. He was educated at Elgin, and in 1767 was sent out to India, returning to Scotland in 1770. In 1773 he returned to India, and soon became Secretary to the Board of Trade, and in 1781 Commercial Resident in Charge at Malda. In 1787 he was appointed Fourth Member of the Board of Trade, Calcutta. He returned to England in 1792. He was in Parliament 1802-18, and there opposed Lord Wellesley's Indian policy. In 1804 he became a Director of the East India Company, being noted for his liberal attitude on the native question. Died October 31, 1823.

GRANT, SIR JOHN PETER, was born September 21, 1774, and studied law in Edinburgh, being admitted Advocate, June 28, 1796. He studied later for the English Bar, and was called at Lincoln's Inn in 1802. In 1827 he went to India as puisne judge, rising to be chief-justice at Calcutta. He was also a well-known writer on legal reform. Died at sea, while on his return to England, May 17, 1848.

GRANT, of Monimusk.

GRATTAN, HENRY, was born in 1746, and educated at Trinity College, Dublin. In 1767 he was entered as a student of the Middle Temple, London, being called to the Irish Bar 1772. But his interests lay in political rather than in legal matters, and in 1775 he was returned to the Irish Parliament as one of the members for Charlemont, and very soon was acknowledged to be one of the most able members. The earlier portion of his career was passed in pressing for the complete independence of the Irish Parliament, and also in opposing the unjust restrictions then placed on Irish trade, which, largely owing to his exertions, were considerably modified. In 1782 he was granted £50,000 by the House of Commons (Irish) 'to be laid out in the purchase of lands in the kingdom, to be settled on Henry Grattan, Esq., and his heirs, in testimony of the gratitude of this nation for his eminent and unequalled services to this kingdom.' For the next few years he was chiefly employed in exposing the hideous system of corruption which then obtained at Dublin Castle, and in promoting the cause of the Roman Catholics. In 1798 he came over to England to give evidence in favour of O'Connor at the Maidstone Assize, and remained till the rebellion had been put down. In 1800, in the debates on the proposed Union, his eloquence was known and feared by his opponents, but the forces of corruption were too strong for him. Elected to the United Parlia-

ment in 1805, he was noted for his eloquence and single-minded upholding of the cause of the Roman Catholics. Died June 4, 1820.

GREATHEAD, HENRY, lifeboat inventor, was a twin child, born at Richmond, Yorkshire, January 27, 1757, and was apprenticed to a boatbuilder, going to sea as a ship's carpenter. He returned to South Shields in 1785, and set up business as a boatbuilder. Greathead won the reward offered for the best lifeboat design, making his first lifeboat for the Duke of Northumberland, the Government eventually paying him £1200 in consideration of the value of his invention to the nation. He published amongst other works *The Origin of the Lifeboat, with Practical Directions for the Management of Lifeboats*: London, 1804. He died in 1816. Greathead and another inventor doubtless wished to introduce his lifeboat in France *circa* 1804, where they were kept prisoners, Greathead being released in December 1804, quite cured of democracy, it was said, by his French treatment.

GREGORY, —, was the treasurer of the Whig Club, and was intimately mixed up in all the 'underground' work (such as the purchase of newspapers, the issue of pamphlets slandering political opponents, etc. etc.), which appears to have been the recognised method of political warfare even in those days.

GRENVILLE, WILLIAM WYNDHAM, was born October 25, 1759, and educated at Eton and Oxford.

In February 1782 he was returned to Parliament as member for the borough of Buckingham, and in September of that year became Chief Secretary to his brother, the Lord-Lieutenant of Ireland. In December 1783 he was appointed Paymaster-General, and in 1786 Vice-President of the Committee of Trade. Elected Speaker 1789, he only held that office for about five months, resigning in June, when he was appointed Secretary of State for the Home Department. In 1790 he was created Baron Grenville, and became leader of the House of Lords, and in 1791 was appointed Secretary of State for Foreign Affairs, resigning office with Pitt in 1801. In 1806 Grenville formed the ministry of 'All the Talents.' His last speech in the House of Lords was delivered June 21, 1822, in favour of the Roman Catholic Peers Bill, and the following year he retired from public life. Died January 12, 1834.

GREY, CHARLES, the second Earl Grey, was born in Northumberland, March 13, 1764, and educated at Eton and Cambridge. Leaving Cambridge in 1784, he travelled abroad for two years, and in July 1786 was elected M.P. for Northumberland, which seat he retained till 1807. He was a steady opponent of Pitt, and one of Fox's most trusted followers. He was strongly opposed to the Union with Ireland. In January 1806 he became First Lord of the Admiralty, and on the death of Fox, Secretary for Foreign Affairs. The ministry was dismissed from office March 15, 1807. On the death of his father,

November 16 the same year, he succeeded him as the second Earl. Negotiations were entered into to induce Lord Grey to join other ministries, but for many years without success, and he occupied for long an independent position in the House of Lords, though continuing an ardent reformer. In 1830, however, he was sent for by the King, and formed a ministry, Henry Brougham being Lord Chancellor. The history of the ministry is practically the history of the Reform Bill, which was the chief measure. Grey's downfall was caused by the Irish Coercion Bill, which he wished to renew *in toto*, while the Lord Chancellor succeeded in persuading a majority of the Cabinet that this was the wrong course to pursue. He resigned office in July 1834, and lived in retirement till his death, which took place July 17, 1845.

HADFIELD, a discharged soldier who shot at the King in Drury Lane Theatre in May 1800. He was found to be insane and sent to Bedlam. According to his own account, he had been discharged from the Army on account of wounds, returned to London, and worked at his trade of silversmith under Mr. Samuel Hougham. He was tired of life, and bought a pair of pistols from William Wakelin, some powder, and had some beer. He then tried the pistols, and found one to be useless. The slugs he cast himself. He loaded the pistol, and went to the theatre. When asked why he fired at the King, he said he 'had not attempted to kill the King. He had fired

his pistol over the Royal Box. He was as good a shot as any in England; but he was himself weary of life; he wished for death, but not to die at his own hands. He was desirous to raise an alarm, and wished that the spectators might fall upon him; he hoped that his life was forfeited.' At his trial he was defended by Erskine, whose speech to the jury was at the time held up as an example of what temperate, persuasive, and yet powerful oratory could do; while that portion which dealt with the safeguarding of the prisoner in trials for high treason, by the lapse of time necessary under the Rules of Court between the drawing of the indictment and the trial of the prisoner, was one of the greatest constitutional arguments ever employed in a court of justice.

HAMILTON, JAMES, of Kames, Bute, was educated at Edinburgh University, where he became a member of the Speculative Society. He was admitted a Writer to the Signet in 1801. Died in 1849.

HAMILTON, ROBERT, was born 1750, and entered the Army, distinguishing himself in the American War. On his return he was admitted Advocate, 1788, and became Sheriff of Lanarkshire, Professor of Public Law, Edinburgh University, a principal Clerk of Session, 1823, and died 1831. He was a great friend of Sir Walter Scott.

HASTINGS, FRANCIS RAWDON, was born December 9, 1754. Educated at Harrow, he was gazetted

to the 15th Foot, August 7, 1771, and in 1773 to a Lieutenancy in the 5th Foot, with which regiment he embarked for America. In the War of Independence he behaved with great credit, and was in 1778 promoted to Lieutenant-Colonel and appointed Adjutant-General to the Forces. In 1781 he left America owing to ill-health, and was captured by the French, being, however, exchanged soon after. In the war in America, besides proving himself a competent officer, he was noted for his severity. In 1783 he was created Baron Rawdon, in the peerage of Great Britain, and for some years was a follower of Pitt. In 1787, quarrelling with Pitt, he joined the opposition, and became a bitter opponent of the ministry. In 1793 he commanded an expeditionary force to Brittany as Major-General, but returned without accomplishing anything; but in the following year, despatched to the assistance of the Duke of York in Holland, was successful in effecting a junction with him after a forced march through a hostile country. Returning home, he drew attention in Parliament to the state of Ireland, and advocated liberal measures; and in 1806 was appointed Master of the Ordnance and Constable of the Tower. In 1808, on the death of his mother, Moira became Baron Hastings, and in 1812 was appointed Governor-General of Bengal and Commander-in-Chief in India, landing at Calcutta in 1813. One of his first acts was to declare war against Nepaul, owing to the encroachments of the Gorkhas on the province of Oude. This war was successfully concluded in

1816. In 1817 Moira was created Viscount Loudoun, Earl of Rawdon, and Marquis of Hastings. His tenure of office was a stormy one,—in addition to the campaign already mentioned, there was the third Mahratta War. His civil government, however, was not so successful, and, while exonerated from personal corruption, he was said to have been guilty of gross favouritism, especially in the case of the charter granted to Messrs. Palmer, the bankers—a firm in which Sir William Rumbold, who had married his ward, was interested. In 1821, in consequence of an adverse vote by the Board of Directors, he resigned his post, and left India in 1823, accepting the post of Commander-in-Chief of Malta. He died on board H.M.S. *Revenge*, in Baia Bay, off Naples, November 28, 1826.

HAY, CHARLES, was educated at Edinburgh University, where he became a member of the Speculative Society. He was admitted Advocate in 1768, and in 1806 was made a Lord of Session, assuming the name of Lord Newton. Died in 1811.

HELY-HUTCHINSON, JOHN, was born May 15, 1757, and educated at Eton and Trinity College, Dublin. In May 1774 he entered the Army as Cornet. In 1776 became Captain in the 67th Foot, and in 1781 Major. In 1783 he was Lieutenant-Colonel in the 77th Athole Highlanders, but on their being disbanded he remained on half-pay, and studied tactics on the Continent. In 1794 he com-

manded the 94th, and becoming Major-General in May 1796, was appointed to the Staff in Ireland. His troops before Castlebar fled on the approach of the French, and he was much blamed. He accompanied Sir Ralph Abercromby to the Texel in 1799, and the Mediterranean and Egypt. On the death of Abercromby he succeeded to the command of the Army, with which he was never popular. His movements in Egypt were slow and cautious, but successful. For his services he was created Baron Hutchinson of Alexandria and of Knocklofty, in Tipperary, with a pension of £2000 a year, and promoted General in 1813. In 1820 he represented the King in the negotiations with Brougham on behalf of the Queen at St. Omer. In August 1825 he succeeded his brother as Earl of Donoughmore. Died July 6, 1832.

HENDERSON, SIR JOHN, was educated at the University, Edinburgh, and was a member of the Speculative Society. He succeeded as fifth baronet of Fordel in 1781, having been admitted Advocate in 1774. He was Member of Parliament for Fife and Stirlingshire, and died 1817.

HENDERSON, T.

HERRENSCHWAND was the author of *Adresse aux Vrais Hommes de bien, à ceux qui gouvernent, comme à ceux qui sont gouvernés*, which was criticised by Francis Jeffrey in the first number of the *Edinburgh Review*.

HOBART, ROBERT, was born May 6, 1760, and educated at Westminster. He entered the Army, and served in the American War, and in 1784 became Aide-de-Camp to the Lord-Lieutenant of Ireland. He sat in the Irish Parliament, and also in the English Parliament, where he supported the abolition of slavery. In 1794 he was appointed Governor of Madras, but was recalled in 1798 owing to differences with the Governor-General. In 1798 he was summoned to the House of Lords as Baron Hobart, and in 1801 was Secretary of State for the Colonial and War Departments in Addington's ministry, resigning with Addington in 1804. He joined Pitt's last ministry, and in the ministry of 'All the Talents' was Postmaster-General. Died February 4, 1816.

HONEYMAN.

HOPE, CHARLES, was born June 29, 1763, and educated in Edinburgh. He was admitted Advocate, December 1784, and in March 1786 was appointed a Depute-Advocate. In politics he was Tory, and was a good public speaker. In 1792 he became Sheriff of Orkney, and in 1801 was appointed Lord Advocate, which position he held till he was promoted to the Bench in 1804, with the title of Lord Granton. Becoming Lord President of the Court of Session in 1811, in 1820 he presided at the High Treason trials in Glasgow, and in 1836 became Lord Justice General. He retired from the Bench in 1841, and died October 30, 1851.

HOPE, JOHN, the fourth Earl of Hopetoun, was born August 17, 1765, and was appointed Cornet in the 10th Light Dragoons, May 28, 1784, becoming Lieutenant-Colonel of the 125th Foot, April 26, 1793. In 1795 he commanded ten companies of his regiment in the West Indies, soon being invalided home, but returning in the following year as Adjutant-General to Sir R. Abercromby, in which post he was repeatedly mentioned in despatches. In 1799 he was again under Sir R. Abercromby with the advance force in Holland, but being wounded in the ankle was sent home. In October he resumed his duties in Holland under the Duke of York, and in 1800 accompanied Abercromby to the Mediterranean, being wounded before Alexandria. In 1803 he was promoted Major-General, and commanded a brigade in England, 1803-5, in which year he was appointed Lieutenant-Governor of Portsmouth. Being promoted Lieutenant-General in 1808, Hope was ordered to Portugal, and took part in the retreat to Corunna, where he commanded the left wing till the death of Moore left him in command of the army. In 1813 he was ordered to the Peninsular army, where he commanded the first division, and again distinguished himself. Died in Paris, August 27, 1823.

HORNE, WILLIAM, a member of the Speculative Society, was admitted Advocate 1806, and became Sheriff of Haddingtonshire in 1813. Died 1856.

HORNER, FRANCIS, was born at Edinburgh, August 12, 1778, and educated at the High School and University, being called to the Scottish Bar in 1800, and the English Bar in 1807. In 1806 he was one of the Commissioners for adjusting the claims against the Nawab of Arcot, and entered Parliament as member for St. Ives. The following year he sat for Wendover, and in 1812 for St. Mawes. He was one of the founders of the *Edinburgh Review*, and Chairman of the Committee of the House of Commons which sat in 1810 to investigate the depreciation of bank notes, and it was chiefly due to his efforts that the issue of notes was put on a sound basis. Died at Pisa, February 8, 1817.

HORSEFIELD, CHARLES.

HOUSTON, ALEXANDER, was, in 1796, a Major in the 57th Regiment of Foot; in 1799 he was Lieutenant-Colonel in command of the Lochaber Fencibles, remaining on full pay in the army, and in 1800 was appointed Lieutenant-Colonel to a corps of riflemen.

HOUSTON, HUGH, commanded the East Sutherland Volunteers, 1797-1801.

HOWARD, CHARLES, the eleventh Duke of Norfolk, was born March 5, 1746, and received little education, spending much of his youth in France. Brought up as a Roman Catholic, he became a

Protestant and a staunch Whig. At the elections of 1780 and 1784 he was returned as member for Carlisle, and strongly opposed the American War. He became Lord-Lieutenant of the West Riding of Yorkshire, September 28, 1782, and was a Lord of the Treasury, 1783, and Colonel of West Yorkshire Militia, January 10, 1784. January 24, 1798, he presided at the dinner at the Crown and Anchor, and gave a toast, 'Our Sovereign's health—the Majesty of the people.' For this he was removed from his Lord-Lieutenancy and his regiment of militia. Died December 16, 1815.

HUME, DAVID, was born February 27, 1757, and was admitted Advocate 1779, being appointed Sheriff of Berwickshire in 1784. In 1786 he became Professor of Scots Law at Edinburgh University. In 1811 he was appointed principal Clerk to the Court of Session, and in 1822 a Baron of the Scots Exchequer. Died August 30, 1838.

HUNTER, JEAN, was daughter and heiress of James Dickson of St. Anton's Hill, Berwickshire. She married Sir Martin Hunter, September 13, 1797, and died 1845, leaving a large family.

HUNTER, SIR MARTIN, was born in 1757, and in 1771 was appointed an Ensign in the 52nd Foot, in which regiment he became a Major, October 30, 1790. He was present at the battle of Bunker's Hill and many other engagements in the American

War, and also saw service in India, 1790-2. In 1794 he was appointed Lieutenant-Colonel in the 91st Regiment, and transferred in 1796 to the 60th Royal Americans, being present at the capture of Trinidad. He exchanged into the 48th, and commanded the regiment in Minorca and at the reduction of Trinidad. He became a General in 1825, and died December 9, 1846.

HUNTER, WILLIAM, was born 1755, and educated at Aberdeen. He served as apprentice to a surgeon for four years, and then became a doctor on board an East Indiaman, being transferred to the Company's service in 1781. In 1785 he published a book on Pegu which met with some success. From 1794-1806 he was Surgeon to the Marines, and was twice Secretary to the Asiatic Society of Bengal. In 1807 he became Secretary to the College at Fort William, and in 1808 Surgeon at the General Hospital of Bengal. Died in Java in 1812.

JARDINE, JOHN, a member of the Speculative Society, was the only son of George Jardine, Professor of Logic at Glasgow University. Admitted Advocate in 1799, he became Sheriff of Ross and Cromarty. Died in 1850.

JEFFREY, FRANCIS, was born at Edinburgh, October 23, 1773, and educated at the High School, then at Glasgow and Oxford Universities. Returning to Edinburgh in 1793 to study Law, he became a

member of the Speculative Society. He was admitted to the Bar, December 18, 1794. He was one of the founders of the *Edinburgh Review*, of which he shortly became editor, retaining that post till June 1829; Lord Rector of Glasgow, 1820 and 1822; Dean of the Faculty of Advocates, 1829; Lord Advocate, 1831, when he entered Parliament as member for Perth Burghs. On the passing of the Reform Bill he was returned for Edinburgh. Promoted to the Bench as Lord Jeffrey, May 1834, he died on January 26, 1850.

As regards his accent, Lockhart says: 'A mixture of provincial English, with undignified Scotch, altogether snappish and offensive, and which would be quite sufficient to render the elocution of a more ordinary man utterly disgusting.'

Byron, in a note in the earlier editions of *English Bards and Scotch Reviewers*, says: 'In 1806 Messrs. Jeffrey and Moore met at Chalk Farm. The duel was prevented by the interference of the magistracy; and, on examination, the balls of the pistols, like the courage of the combatants, were found to have evaporated.'

On this foundation Byron wrote one of the most savage passages in that celebrated satire, the first stanza of which passage is here reprinted:—

'Health to immortal Jeffrey! once, in name,
England could boast a judge almost the same;
In soul so like, so merciful, yet just,
Some think that Satan has resign'd his trust,
And given the spirit to the world again,
To sentence letters as he sentenced men.

With hand less mighty, but with heart as black,
 With voice as willing to decree the rack ;
 Bred in the Courts betimes, though all that Law
 As yet hath taught him, is to find a flaw ;
 Since well instructed in the patriot school
 To rail at party, though a party tool,
 Who knows, if chance his patrons should restore
 Back to the sway they forfeited before,
 His scribbling toils some recompense may meet,
 And raise this Daniel to the judgment-seat ?
 Let Jeffries' shade indulge the pious hope,
 And greeting thus, present him with a rope :
 " Heir to my virtues ! man of equal mind !
 Skill'd to condemn as to traduce mankind,
 This cord receive, for thee reserved with care
 To wield in judgment, and at length to wear."

JENKINSON, CHARLES, first Earl of Liverpool, was born April 26, 1727, and educated at Charterhouse and Oxford, and in 1760 became secretary to Lord Bute. In 1761 he was appointed an under Secretary of State, representing Cockermouth, 1761-7; Appleby, 1767-72; Harwich, 1772-4; Hastings, 1774-80; and Saltash, 1780-6. In 1775 he was Master of the Mint, and in 1778 Secretary at War under Lord North. He took a leading part in framing the treaty of commerce with the United States. In 1786 he was created Baron Hawkesbury, and in 1796 Earl of Liverpool. Died December 17, 1808.

JENKINSON, ROBERT BANKS, second Earl of Liverpool, was born June 7, 1770, and educated at Charterhouse and Oxford. In 1789 he went to Paris, and was present when the Bastille was taken. In

1790 he was returned to Parliament, where he supported Pitt, and advocated unrelenting war with France, and acquired a great reputation as a speaker. In 1793 Pitt appointed him to a seat on the India Board, and in 1799 Master of the Mint. In 1801 he was Foreign Secretary under Addington, and concluded the Treaty of Amiens. Later he was at the Home Office, and in 1809-12 was Secretary of State for War and the Colonies. In 1812 he became Prime Minister, and vigorously supported Wellington. Jenkinson put down the disturbances in 1817-22 with a high hand and became very unpopular, though he advocated a revision of the Corn Laws. Died December 4, 1828.

JERVAS, MISS.

JOHNSON, SAMUEL, was born September 18, 1709. Educated at various schools, and a great reader, he went to Oxford, remaining there for three years; his family meantime sinking into poverty. For thirty years he was miserably poor, and, to make matters worse, suffered from scrofula. When twenty-eight years of age he took up literature as a profession, but for long without success. He was first employed by Cave, the editor of the *Gentleman's Magazine*. His first great work was *London*, based on Juvenal's Satires, and probably inspired by his poverty and sufferings, for which he received £10. Then followed the *Life of Savage*, while in 1747 he was employed to write a *Dictionary of the English Language*, com-

pleted eight years later. The whole of his life was spent in alternately writing on his own account and contributing to the magazines of the period. Died December 13, 1784.

JOHNSTONE, JAMES, of Alva, was educated at Edinburgh University, and admitted Advocate 1791. Died 1830.

JOVELLANOS, GASPAR MELCHIOR DE, was born January 5, 1744, and in 1767 became criminal judge at Seville, and in 1778 at Madrid. In 1780 he was appointed to the council of military orders. From 1790-97 he devoted himself to literary work, in the latter year becoming Minister of Grace and Justice. In 1801 he was imprisoned at Majorca, being released in 1808. He was a member of the Junta and contributed to the reorganisation of the Cortes. Died November 27, 1811.

JUAN.

JUNIUS, one of the literary mysteries of the world. His published letters appeared from January 21, 1769, to January 21, 1772, all of them appearing in the *Public Advertiser*, edited by Woodfall, to whom he also wrote a number of private letters. The letters constituted a violent attack on the Government and its various members, and many books have been written to prove his identity—so far without success.

JUNOT, ANDOCHE, was born October 23, 1771, and at the siege of Toulon came under the notice of Napoleon, whom he accompanied to Italy as aide-de-camp. He was badly wounded at Lonato, and never completely recovered. In the expedition to Egypt he was a general of brigade, but being again wounded, was captured by the English. Returning to France he was made commandant of Paris and general of division. Being sent to Lisbon, he left without permission, and distinguished himself at Austerlitz. In 1807 he was in command in Portugal, and was defeated at Vimiera. He committed suicide, July 29, 1813.

KEANE.

KEAY, JAMES, was admitted Advocate in 1794. He was distinguished both as an orator and for the precision of his pleading, and was held up as a model of what counsel should be. He was a Tory, but took little part in politics. Died in 1837.

KEITH, WILLIAM, was the son of Alexander Keith of Dunnottar and Ravelstone, the founder of the Keith prize. He was educated at Edinburgh University, and there became a member of the Speculative Society. Died in 1803.

KELLERMAN, FRANÇOIS CHRISTOPHER, was born in Bavaria, May 1735, and served through the Seven Years' War and the Polish Expedition of 1771. He

was an ardent revolutionist, and in 1792 was in command of the army of the centre, with which he defeated the allies at Valmy. Napoleon made him a Marshal of France, and Duke of Valmy. In 1814 he voted for the deposition of the emperor. Died September 12, 1820.

KENNEDY, THOMAS FRANCIS, was born November 11, 1788, and was educated at Harrow and Edinburgh University. Admitted Advocate in 1811. In 1818 he was returned as member for the Ayr Burghs, which he represented till 1834. In politics he was a strong Whig, and many reforms in Scotch law are due to him. In 1837 he was appointed paymaster of the civil services in Ireland, an office which he held till 1850. Died April 1, 1879.

KINLOCH.

KINNAIRD, CHARLES, was born April 8, 1780, and educated at the Universities of Edinburgh, Cambridge, and Glasgow. He was returned to Parliament in the Whig interest in 1802, but succeeded to the title in 1805 as the eighth baron. In 1806 he was chosen one of the representative peers for Scotland, and in the same year married Lady Olivia Fitzgerald, by whom he had three sons and two daughters. He was ordered to leave Paris by Napoleon in 1815 after the battle of Waterloo, but remained after the latter's flight, and was in 1818 strongly suspected of complicity in the various

plots against the French Government, and even of one for the assassination of the Duke of Wellington. Died December 11, 1826.

KIRKLAND.

LABILLARDIÈRE, JEAN JULIEN, was born at Alençon, October 23, 1755, and was educated at the college of that town. Thence he went to Montpellier, where he studied botany under Gouan, and to Paris, where he became Doctor of Medicine, 1780. He subsequently came to England, where he stayed some eighteen months in the study of Sir Joseph Banks's collections. He accompanied D'Entrecasteaux on his expedition, and his collections were captured by the English, but were restored by Sir Joseph Banks. In 1800 he became a member of the National Institute of France and died in Paris, January 8, 1834.

LAMB, WILLIAM, second Viscount Melbourne, was born March 15, 1779, and educated at Eton and Cambridge, and subsequently by Professor Millar of Glasgow University. He was called to the Bar in 1804, but on the death of his elder brother abandoned law for politics. In 1806 he was returned for Leominster as a Whig. In 1827 he was appointed Irish Secretary, resigning in 1828. He took his seat in the House of Lords, 1829, and in Grey's ministry, 1830, was Home Secretary, which office he successfully filled during a critical period. On the resignation of Lord Grey, Melbourne was

Prime Minister for a few months. In 1835 he was Prime Minister for the second time, and after the General Election, necessitated by the King's death, was first Prime Minister to Queen Victoria. The ministry was defeated in 1841 and Melbourne never again held office. Died November 24, 1848.

LA MOTTE, JEANNE DE LUZ, COMTESSE DE, was born at Fontête, July 22, 1756. She was a descendant of the Baron de Saint-Rémy, a natural son of Henry II. of France. Her father died at Paris in 1761 leaving his children unprovided for, so that for some time they were cared for by the parish priest. Their royal descent becoming known, the King took charge of their education, and Jeanne received a pension of six hundred livres and was sent to the abbey of Longchamps, near Paris, with her sister. They, however, escaped from the convent and went to Bar-sur-Arbre, where they were received by the aunt of La Motte, and remained with her for a year, when Jeanne married her nephew. Within a month of this marriage twins were born, and on being turned out of Bar-sur-Arbre the La Mottes came to Paris, where he assumed the title of Comte. In Paris she formed the acquaintance of Cardinal Rohan, at that time out of favour with the Queen, and succeeded in making him believe that she had much influence with the latter and could bring him into favour again. She finally persuaded him that a diamond necklace for which 1,600,000 livres was asked was wanted by the Queen. Rohan, duped by

forged letters, negotiated with the jewellers, and handed the necklace to the Countess. When the time came for payment the whole conspiracy was discovered, and Madame de La Motte was arrested. After a protracted trial she was condemned to be branded, whipped, and imprisoned for life at La Salpêtrière. The former portion of her sentence was carried out in the court of the Palace, but she escaped from prison, June 5, 1787, and went to London, where she published a book asserting her innocence and accusing the Queen. She became involved financially, and jumping out of a two-story window to avoid the bailiffs, succumbed to her injuries, August 23, 1791.

LANE.

LANG, WILLIAM, was educated at Edinburgh University, where he became a member of the Speculative Society. Admitted Advocate in 1802. Died in 1807.

LAUDERDALE, JAMES MAITLAND, the eighth Earl, was born at Hatton, in Midlothian, January 26, 1759, and educated at Edinburgh, Glasgow, and Paris. In 1780 he was elected as member for Newport, Cornwall, and in 1784 for Malmesbury, being a strong supporter of Fox. In 1789 he succeeded his father, and the following year was chosen as a Representative Peer of Scotland. In the House of Lords he

was a determined opponent of the Sedition Bill and the Habeas Corpus Suspension Act. In 1806 he was created a Baron of the United Kingdom and member of the Privy Council, while in July of the same year he was appointed Keeper of the Great Seal of Scotland, and soon after sent to France with full powers to make peace. In March 1807 he went out of office with the ministry, and gradually withdrew himself from politics. He was the author of *An Inquiry into the Nature and Origin of Public Wealth, and into the Means and Causes of its Increase*, 1804; also of other works of a financial character. Died September 13, 1839.

LAUDMANN, ISAAC, was born in 1741. For some years he held an appointment in the Royal Military Academy, Paris, and in 1777 was appointed Professor of Artillery and Fortification at Woolwich, retiring on a pension in 1815. He wrote many treatises on tactics and other military subjects.

LECLERC, VICTOR EMMANUEL, a French General, born at Pontoise, March 17, 1772. He served in the armies of the Alps in Italy, and in 1797 married Pauline, sister of Napoleon, being made General of Brigade. He distinguished himself under Moreau in Germany, 1799, took part in the Revolution of the 18th Brumaire, and was sent in command of the expedition to St. Domingo. He sailed from Brest in December 1801, and after some success was seized with yellow fever and died December 2, 1802.

LISTON, SIR ROBERT, was born October 8, 1742, and educated at Edinburgh University. He became tutor to the sons of Sir Gilbert Elliot, taking them to Paris. When Hugh Elliot became a diplomatist Liston was his private secretary and accompanied him to Munich and Berlin. In 1783 Liston was appointed Secretary of Embassy under Lord Mountstuart in Madrid, whom he succeeded as Minister Plenipotentiary in 1783, holding this post till August 1788. He later held appointments in Stockholm, Constantinople, Washington, and the Hague; and from 1811-21 at Constantinople again. Died near Edinburgh, July 15, 1836.

LOCH, FRANCIS ERSKINE, was born in April 1788, and was the youngest son of George Loch of Drylaw. He entered the Navy, September 1, 1799, as a first-class volunteer in the *Queen Charlotte*, and was on board that ship when she was destroyed by fire in Leghorn Roads. He was present at the blockade of Genoa, and was in charge of one of the boats at the debarkation in Aboukir Bay, and was also present at the battles of March 13 and 21. In 1803 he joined the *Chiffonne*, commanded by his cousin Charles Adam, as midshipman, and remained in that ship till she went ashore at Fécamp in 1805. Promoted Lieutenant, January 22, 1806, and in the operations of 1807 in the Rio de la Plata he was in command of a party of seamen attached to the guns under Brigadier-General Auchmutz. In 1812 he carried out most successfully a survey of the Brest

Roads, and was appointed by Lord Keith to the acting command of the *Rover* sloop. He was promoted Commander, January 6, 1813, and in 1814 was engaged by two French frigates, which were captured by his ship and the *Hebrus* and *Hannibal* which came up. In 1814 Loch was promoted Post-captain, and in 1818 was senior officer in the Persian Gulf, where he destroyed nine pirates, and also saw service on shore. Paying off the *Eden* in 1821, he was not further employed till 1838, when in the *Hastings* he took Lord Durham to Quebec, and the Queen Dowager to the Mediterranean. He was in command of the *Victory* at Portsmouth, 1839-41, and was then Superintendent of Quarantine in the River Medway. Loch was a Fellow of the Geological, Statistical, and Zoological Societies, and on the committee of the Useful Knowledge Society. Died June 28, 1855.

LOCH, JAMES.

LOCH, JAMES, of Drylaw, to whom this collection of letters was addressed, was the eldest son of George Loch of Drylaw. He was educated at Edinburgh University, was a member of the Speculative Society, and admitted Advocate in 1801.

Before coming to London, and whilst studying law in Edinburgh, he was for some few years directing the operations for the improvement of his uncle's estate, Blair Adam. On his coming to London he became associated with the business of his uncle,

Mr. William Adam, who at this period found his nephew of distinct value in connection with the Whig party, for which, judging from the voluminous correspondence existing, he was a most vigorous, and at the same time a silent and effectual worker.

Being called to the Bar in England in 1806, he for some years practised as a conveyancing counsel, continuing with unabated ardour in the cause of the Whigs, having their complete confidence in all things, as the letters of the brothers Brougham clearly show. It was chiefly through him that Mr. Adam made use of his influence. He abandoned the law to manage the estates of the Duke of Sutherland and others. In connection with the Sutherland estates in the Highlands, Loch incurred much unjust obloquy in consequence of the removal of crofters, 1811-20. In June 1827 he was returned to Parliament as member for St. Germans in Cornwall, and sat for that division or the Wick Burghs till 1852. He was father of Henry Brougham Loch, the first Lord Loch, of Granville Gower Loch, a distinguished naval officer, and several other children.

In connection with Brougham's letters to him concerning the 'lowness' and 'dirtiness' of political work associated with the newspapers, two interesting letters have been discovered which go far to show that these epithets were certainly not too strong:—

'23 LINCOLN'S INN,

Friday Morning.

'MY DEAR LORD,—I have called upon Mawman, having first learned from Mr. Adam that Perry had

no objection to the arrangement which you and Lord Grenville proposed, namely that the Press should be bought up and that the *Globe* under his direction be made the evening paper of the *Chronicle*, the present proprietors having a certain share in the profits. This arrangement to be made in case the proprietors of the *Globe* were unwilling to part with their property in that paper.

‘I found Mawman had gone out of town and was not to return till next week. I trouble your Lordship with all this that you may not conceive that, from your not hearing of any final arrangement being made, that it proceeded from my having neglected what you entrusted me with executing. I am sorry, however, to be obliged to add that I shall by an unforeseen event be unable to see Mawman next week. I have just been informed of the very sudden and unexpected death of a very intimate friend, Mr. Wemyss of Cuttlehill, which makes a journey to Scotland indispensable. As I shall not, however, remain longer than the particular business requires, I hope my absence will be of no long duration, and that it will prove no interruption to the arrangement you wish to be made.

‘If your Lordship saw no objection, I should think it would be better for you to see Mawman yourself and learn what he thinks. I understand that it would be better not in the first instance to mention the *Morning Chronicle*, as he might have an objection to that, until he was convinced of the advantages of the plan in the first instance. I hope your Lord-

ship will upon my return make whatever use of any assistance I can give, you may require.—I am, yours faithfully,

JAMES LOCH.

LORD H. PETTY.'

This letter clearly shows that a huge scheme for the subsidising of newspapers was being considered by the Whig leaders, while the second, evidently written by the man who had carried out the actual details, not only of this scheme but of a further one for the discrediting of political opponents, would appear to prove that the proceedings against Lord Melville were brought about by a gigantic system of bribery and slander.

'CRAVEN STREET,
April 10, 1809.

'DEAR SIR,—It would be strange, if I felt any great surprise that you had not effected in three or four days what I have not been able to accomplish in as many years, namely, the discharge of the four remaining claims upon the late establishment at Budd's. As, however, you thought, that a supposed debt, due to myself, upon that score of £200 would immediately be paid, my hopes were, and are, confident that from the fund to which you alluded, you will be kind enough to obtain as much as will liquidate the four, and only demands existing against that society, the united amount of which is not *half* the sum you offered to get for *myself*.

‘The truth is, that such a sum *was* due to me from about April 5 to June 6. The best of the dead and the living, namely Mr. Fox and your admirable uncle, procured for me a little credit at a banker’s in Pall Mall, at the time of the popular movements against Lord Melville, and of that credit I applied about £200 to the payment of debts incurred at Budd’s. I was repaid in the summer of the next year, by my own drafts or Lord Robert’s (I forget which) upon Brooks’s.

‘It is not to follow the example of our friend Gregory, in making a charge for interest, that I thus refer (among many other kindnesses that I experienced from the late ministry) to the fact of my being in advance, for them, £200 during six months of their being in the actual possession of the Government. The bills due to the *Chronicle*, *Post*, and *Herald* came in after the account which I showed you was made up. As all the Resolutions, Petitions, etc., were advertised and *very well* advertised, the only wonder is the cheapness of that branch. The £40 which I gave to Lambert of the *Chronicle*, paid all possible newspaper advertisements, those of the *Chronicle*, *Post*, and *Herald* excepted. The entire charge for advertisements is only about £113. The total of the proceedings against Lord Melville were guessed at £3000. The bill in your hands will show that they scarcely exceeded £300. They were quite sufficient for the purpose. They put Lord Melville *hors de combat politique*. The most powerful of Mr. Pitt’s survivors was wholly *cut off* by the effect of these

movements, and the civil death of the one being coeval with the physical death of the other, the way was opened for the coming in of the late ministry, who (God save the mark) made such grateful returns to the chief instruments of their elevation.

‘I should not trouble you with so quick a *memento*, but for the enclosed letter. The words *specially ordered by me* are, I fear, portentous; and the *term* (always a halcyon season to me) is at hand.—Yours, dear sir, always truly,

D. S. B.

‘P.S.—About £12 of the advertisement money might have been had of the Sheriffs of Middlesex (Scholey and Domville), but Lord Robert agreed with me that it was not worth while to make such a demand. In a contention caused by Major Cartwright, the Sheriffs had behaved *very well*. The Duke of Bedford knows the whole affair. I consulted Lord Robert (on October 5) on the becomingness of not sending to Sheriffs, more friendly than hostile, for such a sum as £10 or £12.

To JAMES LOCH, Esq.,
at Wm. Adam’s, Esq., M.P.,
Bloomsbury Square.’

LOCH, JOHN, brother of James Loch of Drylaw, was a Lieutenant in the 70th (Surrey) Regiment of Foot, June 7, 1797, and his name remains in the Army List till 1800, after which date he has not been traced.

LOCH, MARY, the daughter of John Adam of Blair Adam, Kinross-shire, and sister of William Adam, the Lord Commissioner, married George Loch of Drylaw, and was mother of James Loch, the recipient of these letters.

LOCH, WILLIAM, was appointed a Writer to the Bengal Establishment under the East India Company in 1801.

LOCKE, JOHN, was born at Wrington, Somerset, August 29, 1632. Educated at Westminster and Oxford, where he was appointed Greek Lecturer in 1660, and Lecturer on Rhetoric, 1662. His original intention would appear to have been to take Holy Orders, but this he abandoned, and studied medicine. Many of his writings, however, were of a theological nature. On November 23, 1668, he was elected a Fellow of the Royal Society. He was for some time medical attendant to the first Earl of Shaftesbury, and soon, a strong friendship having arisen between the two men, became an inmate of his house. When Ashley became Earl of Shaftesbury and Lord Chancellor, Locke was appointed as Secretary of Presentations with a salary of £500 a year, and in October 1673 was Secretary to the Council of Trade till it was dissolved, March 12, 1674-5. From 1675 to 1679 he was abroad a good portion of his time. From 1683 till the Revolution he lived chiefly in Holland, becoming known to William and Mary, and returning with them to England. From 1689

he was chiefly employed in literary work, and died October 28, 1704.

LOISON, LOUIS HENRI, was born May 16, 1771, at Damvilliers, Lorraine, and entered the French Army in 1787, becoming Sous-Lieutenant 1791, Captain 1792, General of Brigade 1793, and of Division 1797. He was wounded at the siege of Stralsund, July 29, 1807, and in 1808 was General of Division under Junot, being present at the battles of the Douro and Vimeira. In accordance with the terms of the Convention of Cintra, he was conveyed by Captain Adam of the *Resistance* to France. Napier says of him :—‘He was scarcely safe when surrounded by troops. The execration poured forth at the mere mention of the “bloody maneta” as, from the loss of his hand, presumably when wounded at the siege of Stralsund, he was called, proves that he committed many heinous acts.’ Loison received the title of Count, and subsequently a donation of twenty-five thousand francs and command of the army in Spain. Died December 30, 1816.

LONGMAN, THOMAS NORTON, the publisher, was born in 1771, and succeeded his father in the business. In 1794 he took Owen Rees into partnership. They had a large capital, and bought up many copyrights, publishing, *inter alia*, Murray’s *English Grammar*. They were for long the publishers of Wordsworth, Southey, and Sir Walter Scott. In 1826 they became sole proprietors of the *Edinburgh*

Review. Longman died at Hampstead, August 29, 1842.

LOVAINE, LORD.

M'BEAN.

MACDONAGH.

MACDONALD, SIR ARCHIBALD, was born July 13, 1747, and educated at Westminster and Oxford, being called to the Bar 1770, and soon, owing to his connection with Scotland, got a fair practice in Scotch appeals to the House of Lords. In 1778 he was made K.C., and in 1780 was appointed one of the Justices of the Grand Sessions in Wales. In 1784 he was Solicitor-General in Pitt's administration, and in 1788 was knighted and appointed Attorney-General. In the House of Commons (to which he was first elected in 1777) he was noted for the bitter attacks he made on his political opponents. In 1793 he was appointed Lord Chief Baron of the Exchequer, retiring on a pension in 1813. Died at Westminster, May 18, 1826.

MACDONALD, RONALD.

MACKAY.

MACKINTOSH, SIR JAMES, was born October 24, 1765. Educated at King's College, Aberdeen, and

in October 1784 commenced to study medicine in Edinburgh. In 1788 he moved to London, but was too indolent to succeed. He devoted much of his time to politics as an advanced Whig, and was imbued with revolutionary ideas, which, however, were greatly modified by the excesses in France. In 1795 he was called to the Bar at Lincoln's Inn, and joined the home circuit. At the Bar he was successful—more especially in Parliamentary cases. In 1803 he was appointed Recorder of Bombay, and in 1806 was made a Judge of the Vice-Admiralty Court there. He returned to England in 1812, and in 1813 was elected for Nairn, being a great advocate for mitigating the severity of the criminal law. Died in London, May 30, 1832.

MACKENZIE.

MACLEAN, LADY MARGARET.

MACNEVEN, WILLIAM JAMES, was born March 21, 1763, in County Galway, and was educated by his uncle in Prague and at Vienna University. He returned to Ireland in 1784 and practised as a doctor in Dublin. In 1797 he joined the United Irish League and became one of the ablest members of the committee. He was one of the deputation to the French Government in 1797, and on his return to Ireland in the following year was arrested. The secret committee examined him on August 7 and 8. He with other prisoners of the league was detained

at Fort George, 1799-1802, in which latter year he was liberated, and on July 4 landed at Cuxhaven. In 1803 he entered the French Army, and in 1805 resigned and went to America, where he resumed his profession, and held various appointments as professor. Died July 12, 1841.

MACONOCHIE, ALEXANDER, was born March 2, 1777, and admitted Advocate, 1799. In 1807 he was appointed Depute-Advocate, and in 1810 Sheriff of Haddingtonshire. February 13, 1813, he was appointed Solicitor-General, and in 1816, Lord Advocate. In 1817 he was returned for Yarmouth in the Isle of Wight. As Lord Advocate he was noted for the severity with which he conducted the prosecutions for sedition in Scotland. In 1819 he was appointed Lord of Session and Lord of Justice (as Lord Meadowbank), resigning in 1843. Died November 30, 1861.

MARTIN, THOM.

MAUGER, NICHOLAS.

MAULE, WILLIAM RAMSAY, was born October 27, 1771. In 1789 he purchased a cornetcy in the 11th Dragoons. In 1796 he was elected M.P. for the county of Fife, but in the following year was defeated. On the death of the member in 1805 he was again elected, and held the seat until he was called to the House of Lords, September 9, 1831, as

Baron Panmure in the peerage of Great Britain. He was noted for his extravagance and dissipation, and died April 13, 1852.

MAXWELL.

MAXWELL, WILLIAM, a sergeant in the militia, was tried for sedition before Eskgrove, Dunsinnan, Craig, Methven, and Cullen, and was defended by James Fergusson, James Graham, and Henry Brougham. He was a United Scotsman. The indictment charged him particularly with having administered unlawful oaths to soldiers under his influence, and with distributing a seditious poem in his own handwriting. He pleaded guilty, and was condemned to transportation for seven years.

MERCER, JAMES, was born February 27, 1733-4, and educated in Aberdeen. In 1754 he went to Paris, returning to England in 1756. He was present as a volunteer with the expedition to Cherbourg, and then, joining a British regiment, served in the early campaigns of the Seven Years' War, and distinguished himself at the battle of Minden. In 1772 he sold out of the army and spent his time in travelling and writing. His poetry was well mentioned by the *Edinburgh Review*. Died November 27, 1804.

METHUEN.

MIDDLETON, CHARLES, was born October 14, 1726. In 1745 he was a Lieutenant in the *Chesterfield*, and

in 1754 was appointed to the *Anson* guardship at Portsmouth. Promoted Captain in 1758, in 1761 he was in the West Indies in command of the *Emerald* frigate, and was very successful in the destruction of the enemy's privateers. In 1778 he was appointed Comptroller of the Navy, and held that office till March 1790. In 1787 he was promoted Rear-Admiral, Vice-Admiral in 1793, and Admiral 1795. In 1805 he was appointed First Lord of the Admiralty and created Baron Barham, but retired in 1806. Died June 17, 1813.

MILLAR, JOHN, was born June 22, 1735, and was educated in Glasgow. He was admitted Advocate in 1760, but, in spite of a growing practice, he soon accepted the position of Professor of Law at Glasgow. In politics he was a Whig, and he sometimes gave offence in his lectures by the view he took of Constitutional Law. Died May 30, 1801.

MILLER, THOMAS HAMILTON, was educated at Edinburgh University, and there became a member of the Speculative Society. He was admitted Advocate in 1802, became Sheriff of Selkirkshire in 1832. Died 1843.

MILLIONS, ROBERT [misread 'Milhous' in text].

MITCHELL, SIR ANDREW, was born in 1757, and educated at the High School, Edinburgh, and in 1771 entered the Navy. In 1776 he went to the

East Indies in the *Ripon*, and was there promoted Lieutenant and transferred to the *Coventry*, being promoted Captain of that ship after the skirmish off Pondicherry in August 1778. He was engaged in several single-ship actions, and returned to England in 1786. In 1795 he was promoted Rear-Admiral, and in 1799 Vice-Admiral. He was in command of the transports in the expedition to Holland in 1799, and in 1801 had command of a squadron on the coast of Ireland. In 1802 he was Commander-in-Chief on the North American Station and was promoted Admiral in 1805. He died at Bermuda, February 26, 1806.

MITCHELL, BRUCE.

MONBODDO, LORD, James Burnett, was born at Monboddo in the autumn of 1714, and was educated at Aberdeen and Edinburgh University. In accordance with a fairly usual practice, he went abroad to read law, and studied at Gröningen University for three years. Returning to Edinburgh, he was admitted Advocate, February 17, 1737, and on the outbreak of the Rebellion of 1745 paid a visit to London, where he made many influential friends, and his share in the conduct of the celebrated Douglas Cause confirmed his position in the profession. In 1764 Burnett was made Sheriff of Kincardineshire, and in 1767 became an ordinary Lord of Session with the title of Lord Monboddo. As a Judge he gave every satisfaction, though

frequently disagreeing with his colleagues, and on several occasions being opposed to all who were sitting with him. He is now best remembered by his writings, wherein he foreshadowed Charles Darwin's great work on the *Origin of Species*, and appeared to lean to the belief of some of the native races—that the ourang-outang is a human being, but refuses to speak for fear of being compelled to work. In addition to his speculations on this subject (called by him the 'Origin and Progress of Language') he wrote on Greek Philosophy, and also collected and published many legal decisions. Socially, Lord Monboddo was one of the most popular men, and was privileged in so far as he was permitted by his contemporaries to be temperate, in opposition to the custom of the day. About 1780 he commenced to make an annual journey to London, invariably riding, as he considered driving to be effeminate, and on these occasions frequently attended court, where the King always received him with special favour. Died in Edinburgh, May 26, 1799.

MONCREIFF, SIR JAMES WELLWOOD, was born September 13, 1776, and educated at Edinburgh, Glasgow University, and Oxford. He was admitted Advocate in 1799, and in 1807 was appointed Sheriff of Clackmannan and Kinross. He soon acquired a good practice, and became one of the leaders of the Scotch Bar. In 1826 he was elected Dean of the Faculty of Advocates, and in 1829 was raised to the Bench as Lord Moncreiff. Died March 30, 1851.

MONTONI.

MOODY.

MOORE, SIR JOHN, was born at Glasgow, November 13, 1761. He was appointed tutor to the young Duke of Hamilton, and accompanied him on the Continent till 1777, when he became an ensign in the 51st Regiment. In 1779 he was appointed Lieutenant and Paymaster in a new regiment, with which he served in America till 1783. In 1784 he entered Parliament, and in 1788 was Major in the 51st Regiment, becoming Lieutenant-Colonel in 1790. In 1792 he sailed with his regiment for the Mediterranean, and was engaged throughout the operations in Corsica. In April 1796 he went to the West Indies as Brigadier-General under Sir Ralph Abercromby, taking part in the reconquest of St. Lucia, and being left by Sir Ralph as Governor and Commander-in-Chief, but was invalided home just on the eve of success. In 1798 he served under Sir Ralph in Ireland and under the same commander in the expedition to Helder in 1799. In 1800 he was made Colonel and accompanied Abercromby to the Mediterranean as Major-General, serving in the Egyptian Expedition. In 1803 he was Commandant of the camp at Shorncliffe, and in 1806 was second in command to General Fox in Sicily. In 1807 he was ordered to Portugal, and in May 1808 to Sweden with eleven thousand men to assist the King against France and Russia. On his return he was sent to

Portugal, and after the Convention of Cintra was left in command of the English Army there. On November 13, 1808, he concentrated at Salamanca, where he remained till December 13, when he began his famous retreat, reaching Corunna January 12, 1809. The fleet not being there, on January 16, 1809, the battle of Corunna was fought, and Moore was mortally wounded early in the day.

MORTHLAND, JOHN, was educated at Edinburgh University. He was admitted Advocate in 1773, and was part proprietor of the *Scots Chronicle*. Died March 22, 1807.

MOYSEY, CHARLOTTE.

MURRAY.

MURRAY, SIR JOHN ARCHIBALD, was born in Midlothian 1779, and educated at the Edinburgh High School, Westminster, and Edinburgh University, where he joined the Speculative Society. In 1799 he became an Advocate, and was one of the founders of, and a great contributor to, the *Edinburgh Review*.

In December 1832 he was returned for Leith in the Reformed Parliament, and in 1835 succeeded Jeffrey as Lord Advocate. He retired from Parliament in 1839 and became a Judge of the Court of Session. Died in Edinburgh, March 1859.

MURRAY, W.

MUTER, MISS.

NABINO.

NORTH, FREDERICK, second Earl of Guilford, born April 13, 1732. Educated at Eton and Oxford. When twenty-two years of age he was elected M.P. for Banbury, which place he represented for nearly forty years. Lord of the Treasury 1759-65, Chancellor of the Exchequer 1767, Prime Minister 1770-82, his period of office being a very difficult one—the attacks of Burke and Fox, with the War of Independence, being his greatest trials. In 1783 he was Secretary of State in the coalition ministry which resigned the same year, Lord North, owing to the failure of his sight, giving up his political career, but when quite blind he played a considerable part in the debates on the Regency Bill, 1789. He succeeded his father as Earl of Guilford in 1790, and died August 5, 1792.

NORTH, GEORGE AUGUSTUS, was born September 11, 1757, and educated at Trinity College, Oxford. He represented Harwich, 1778-84, Wootton Bassett, 1784-90, and subsequently Petersfield and Banbury till he succeeded his father in August 1792 as Earl of Guilford. While generally supporting his father, his sympathies were with the Whigs, and in the coalition ministry, 1783, he became Under-Secretary at the Home Office, and later one of the commissioners under the East India Bill. He was twice

married, first to Maria Frances Mary, youngest daughter of the Hon. George Hobart, afterwards third Earl of Buckingham; second to Susannah, daughter of Thomas Coutts the banker. Died April 20, 1802.

O'BRYEN, DENNIS, who was born in Ireland in 1755, for some time practised as a surgeon, but settling in London he abandoned his profession, and concerned himself with politics. He was an ardent Whig, and published many political pamphlets. In 1806 he was rewarded with the lucrative sinecure of Deputy Paymaster-General, and was also appointed to the office of Marshal of the Admiralty at the Cape of Good Hope. Died August 13, 1832.

O'CONNOR, ARTHUR, was born July 4, 1763, and was educated at Trinity College, Dublin, being called to the Irish Bar in 1788. In 1791 he sat in the Irish Parliament as member for Phillipstone, where he professed republican opinions. In 1796 O'Connor joined the United Irishmen, and in the following year was sentenced to six months' imprisonment for seditious libel. In 1798 he was tried at Maidstone with others for high treason, but though acquitted he was kept imprisoned till 1803, when he was liberated and sent to France. He took little further part in public affairs, and died April 25, 1852.

O'FARREL.

O'FARREL, MRS.

O'HARA, CHARLES, was born about 1740. He was educated at Westminster, and December 23, 1752, was appointed cornet in the 3rd Dragoons. January 14, 1756, he was appointed Captain in the Coldstream Guards, and in the campaign in Portugal in 1762 was Quartermaster-General. He served with distinction in America, where he was dangerously wounded, Lord Cornwallis saying of him: 'His zealous services under my command, the pains he took, and the success he met with in reconciling the Guards to every kind of hardship, give him a just claim, independent of old friendship, on my very strongest recommendations in his favour.' After various other services he was appointed Governor of Gibraltar, where he died February 21, 1802.

ORLEANS, LOUIS PHILIPPE, DUKE OF, was born October 6, 1773. In 1781 Madame de Genlis was appointed his *gouverneur*, and from her he imbibed revolutionary opinions. In 1792 he was present at the battles of Valmy and Jemmapes, and in the following year at Venloo, Maestricht, and Neerwinden, soon afterwards being banished from France. By the execution of his father in 1793 he became Duke of Orleans. In 1814 he returned to France, and after the restoration in 1815 was regarded with some suspicion by the court, owing to his liberal opinions. In 1830 he accepted the title

of King on the deposition of Charles x. After the Revolution of 1848 he escaped to England, where he died August 26, 1850.

OSWALD, ALEXANDER, was educated at Edinburgh University. He was president of the Speculative Society in 1796; admitted Advocate 1798. He died at Bath, April 21, 1821.

OSWALD, JAMES, was educated at Edinburgh University, where he became a member of the Speculative Society. He was admitted Advocate in 1791, and died at Edinburgh after an illness lasting four days, March 17, 1802, in his thirty-second year.

PAGET, SIR ARTHUR, was born January 15, 1771, and educated at Westminster and Christ Church, Oxford. In 1791 he entered the diplomatic service, while in 1794 he was elected as member for Anglesey. In 1794 he was sent to Berlin as envoy extraordinary, his conduct being much praised. In 1800 he was envoy extraordinary and minister plenipotentiary at Naples, and in 1801 at Vienna. In 1805 he helped materially in forming the third coalition against France, and after its failure was recalled, in 1806. In May 1807 he was ambassador to Turkey, being recalled in 1809, when he retired on a pension of £2000. Died July 26, 1840.

PALAFIX, Y MELSI JOSÉ, was born in 1780, and entered the royal bodyguard of King Charles of

Spain. In 1808 he accompanied the royal family to Bayonne. Escaping from there when the King was made a prisoner, he retired to his estates near Saragossa. In the same year he was proclaimed Captain-General of Aragon. Saragossa was surrendered to the French in 1809, who, in spite of the terms of capitulation, detained Palafox as a prisoner, only releasing him in 1813. In 1836 he was made Duke of Saragossa, and died at Paris, February 16, 1847.

PARK, MUNGO, the explorer, was born September 20, 1771, and early in life was apprenticed to a surgeon. He attended Edinburgh University 1789-91, and obtained the post of Assistant-Surgeon on board the *Worcester*. Contributed to the transactions of the Linnæan Society. Succeeded Major Houghton under the African Association. He reached the Gambia, June 21, 1795, and was the first European to reach the Niger. On December 22, 1796, he landed in England, and published his *Travels in the Interior of Africa*, 1799, marrying and commencing a private practice at Peebles. He sailed from Portsmouth for Africa on January 30, 1805, and was there drowned in November of that year while endeavouring to escape from a native attack.

PARK, CAPTAIN.

PARK, MRS.

PARNELL, SIR JOHN, was born December 25, 1744. He was admitted a student of Lincoln's Inn, January 7, 1766, but was never called to the Bar. On December 16, 1780, he was appointed a commissioner of customs and excise, and succeeded his father as baronet, April 1782. He represented Bangor in the Irish Parliament, 1761-8, and Inistioge, 1776-83. At the general election of 1783 he was returned for Queen's County. He succeeded Foster as Chancellor of the Exchequer, September 22, 1785. He was an opponent of Roman Catholic Emancipation. In 1799 he was removed from his office as Chancellor of the Exchequer owing to his opposition to the Union. After the Union he was elected a member of the United Parliament, and died December 5, 1801.

PARR, SAMUEL, was born January 26, 1746-7, and was educated at Harrow, leaving when fourteen years of age to assist his father who was an apothecary. In 1764, having shown a great distaste for the study of medicine, he was allowed to go to Cambridge. In February 1767 he became assistant master at Harrow, and in 1769 was ordained. In 1771 he became a candidate for the Headmastership, but this was refused on account of his youth, whereupon he commenced to wear a wig, which was a constant source of ridicule. In 1771 he opened a school on his own account, but was not successful, and in 1776 became master of the Colchester grammar school. In 1780 Parr was appointed to the living

of Asterby, and for the remainder of his life was engaged in clerical and literary work. Died March 6, 1825.

PATEN, ROBERT.

PAUL, CZAR OF RUSSIA, son of Peter III. and Catherine, was born October 2, 1754, and ascended the throne November 17, 1796. While showing a benevolent disposition, he revived many obsolete privileges. He joined the coalition against France in 1798, but in 1800 entered into negotiations with Napoleon and seized the English ships and goods then in the country, and agreed to invade India simultaneously with the French. This project was frustrated by his assassination, March 23, 1801.

PEARCE.

PERCEVAL, SPENCER, was born November 1, 1762, and educated at Harrow and Trinity College, Cambridge. Called to the Bar, he joined the midland circuit, and in 1790 was appointed deputy recorder for Northamptonshire. He was prosecutor in many of the trials for sedition, and in 1794 became counsel to the Board of Admiralty. In 1796 he was made King's Counsel, and in the same year was returned to Parliament, where he soon became known. When Addington formed his ministry, Perceval was appointed Solicitor-General and in 1802 Attorney-General. In 1804 he

declined the offer of a peerage with the position of Chief-Justice of the Common Pleas. On Pitt's return to office he received Perceval's support, who was once more Attorney-General. In March 1807 he became Chancellor of the Exchequer, which post he held at a most anxious time with marked success. In 1809 he succeeded the Duke of Portland as Prime Minister, continuing in office at the Exchequer, as he was unable to find a substitute. He was barely able to carry on the administration owing to the disintegration of the party and the opposition raised by the Walcheren expedition. On May 11, 1811, while the debates on the Orders in Council were in progress, he was shot in the lobby of the House of Commons by John Bellingham.

PETTY-FITZMAURICE, HENRY, third Marquis of Lansdowne, was the only son of the second marriage of William, the first Marquis. Born July 2, 1780, he was educated at Westminster, and sent thence to Edinburgh, where he attended the lectures of Dugald Stewart. He here became acquainted with Brougham, Cockburn, Horner, Jeffrey, and many others destined to leave their mark on history. He was a prominent member of the Speculative Society. From Edinburgh he was sent to Trinity College, Cambridge, and in 1802 to the Continent. Returning on the renewal of the war, he was elected as member for Calne, joining the Whig party. Under Lord Grenville he was Chancellor of the Exchequer. In November 1809 he succeeded his half-brother as Marquis of Lans-

downe. He was a strong opponent of slavery and a warm supporter of Catholic Emancipation. He negotiated the coalition between the Whigs and Canning's administration, though Lord Grey and others were opposed to it. Under Lord Grey he became President of the Council. A strong supporter of education and reform where necessary, he was a regular attendant in the House of Lords till 1861. Died at Bowood, January 31, 1863.

PITT, WILLIAM, was the second son of the Earl of Chatham, and was born May 28, 1759. Owing to his delicacy he was educated at home, his father taking great interest in his studies and his precocious nature. In 1773, when only fourteen years of age, he went to Cambridge, and in 1776 graduated M.A. without examination. He was called to the Bar in 1780 and joined the western circuit, and in January of the following year entered the House of Commons as member for Appleby, and opposed Lord North's administration. He early took a leading part in the debates. On the formation of the Rockingham ministry he declined office, though generally supporting the Government. In 1782 he became Chancellor of the Exchequer under Shelburne, resigning soon after owing to differences of opinion with the Cabinet. At the end of the short-lived coalition ministry Pitt became First Lord of the Treasury and Chancellor of the Exchequer, in face of a strong but divided majority.

Though continually defeated in the House of

Commons, Pitt retained office until March 1784, when Parliament was dissolved, and at the general election found himself at the head of a great majority. His first concern was to place the finances of the country on a secure foundation, and this he succeeded in doing. While the insanity of the King lasted, Pitt's position was one of extreme delicacy, but he overcame all his difficulties, and remained Prime Minister. Foreign affairs now occupied his attention, and on the outbreak of the war with France it soon became evident how successful his financial reforms had been. Throughout the war and the Irish rebellion Pitt retained the confidence of the country, but in 1801 he resigned office on the question of the Catholic Emancipation Bill. He was once more Prime Minister in May 1804, but no longer had the hearty support to which he had hitherto been accustomed, and this fact, combined with his failing health, added greatly to his difficulties. The disasters to the English allies abroad, and the worry caused by dissensions in the Cabinet, made him worse, and he died January 23, 1806.

PLAYFAIR, JOHN, was born near Dundee, March 10, 1748, being the eldest son of James Playfair, the minister of Liff and Benvie. He was educated at St. Andrews, and when only eighteen years of age competed for the Mathematical chair in the Marischal College, Aberdeen, and came out third in the list of candidates. In 1773 he was appointed to be minister at Liff in succession to his father, and

from 1783-7 was tutor to Mr. Ferguson of Raith and his brother Sir Ronald Ferguson.

In 1785 Playfair became joint professor of Mathematics with Dr. Adam Ferguson in the University of Edinburgh, and in 1805 became professor of Natural Philosophy at the same University. He published various works on mathematics, and died at Edinburgh, July 20, 1819.

PORTLAND, DUKE OF. William Henry Cavendish Bentinck, the third Duke, was born April 14, 1738, and educated at Oxford, where he became M.A. in 1757. In 1761 he was elected for the borough of Weobly in Hereford, but in the following May he succeeded his father as Duke. Lord Chamberlain under Rockingham, July 1765 to July 1766, and in 1782 he was made Lord-Lieutenant of Ireland. He was Premier of the coalition ministry, April 5, 1783, till the defeat of the India Bill. In 1792 he became Chancellor of the University of Oxford, and 1794-1801 was Secretary of State for home affairs, and 1801-5 President of the Council. In 1807 he was again First Lord of the Treasury, resigning through ill-health in September 1809. He died October 30, 1809.

PULTENEY, SIR JAMES MURRAY, the only son of Sir Robert Murray, sixth baronet of Clermont, Fifeshire, was probably born in 1751. Gazetted in 1771 to the 57th Foot, he went out and served under Lord Cornwallis in America. Promoted Major to

the 4th Foot, he served in the West Indies, 1778-80 ; returning home he was promoted Lieutenant-Colonel in command of the 94th. In 1789 he was made Aide-de-Camp to the King, and in 1790 Major-General, serving as Adjutant-General to the Duke of York in Flanders in 1793-4, in which year he assumed the name of Pulteney on his marriage with Henrietta Laura Pulteney, Baroness Bath.

In 1798 he held a command in Ireland, and in 1799 became Lieutenant-General, accompanying Abercromby in North Holland, taking part in the attack on Ferrol in 1800, which gave rise to great dissatisfaction in the Navy. Being reinforced he went to Gibraltar with twenty thousand men, and in the same year was second in command to Sir R. Abercromby in the demonstration against Cadiz. In 1806-7 he was Secretary at War under Grenville. The explosion of a powder flask destroyed one of his eyes, and inflammation setting in caused his death, April 26, 1811.

RABÉ, DON JUAN DE DIOS, was Minister of Grace and Justice at Madrid.

RAE, SIR DAVID, was probably born in 1724, and was educated at the Grammar School, Haddington, and the University of Edinburgh. He was admitted Advocate in 1751 and soon acquired a good practice, being for many years the leading advocate in the Scottish Court of Exchequer. Becoming an ordinary Lord of Session, November 14, 1782, he

assumed the title of Lord Eskgrove, and in 1785 was appointed a Lord of Justiciary, in which capacity he presided at many of the trials for sedition held in Scotland. In 1799 he was appointed Lord Justice-Clerk, and many anecdotes are told of the encounters he had with Henry Brougham. Cockburn, in his *Memorials*, says that these anecdotes were told against him because of his ludicrous character, and relates one at least which is worth repeating :—‘In the trial of Glengarry for murder in a duel, a lady of great beauty was called as a witness. She came into court veiled; but before administering the oath Eskgrove said: “Young woman, you will now consider yourself as in the presence of Almighty God and of this court. Lift up your veil, throw off all modesty, and look me in the face.”’ He died at Eskgrove, October 23, 1804.

RAE, SIR WILLIAM, was the younger son of David Rae, Lord Eskgrove. Born at Edinburgh, April 14, 1769, he was educated at the High School and University. He was admitted Advocate, June 25, 1791, and appointed Sheriff of Midlothian, May 27, 1809. He succeeded his brother as third baronet, May 22, 1815, and on June 24, 1819, was appointed Lord Advocate, being returned in the following month for Anstruther Burghs. His conduct of the prosecutions against the press was severely commented upon, more especially as he had a considerable connection with that on the Tory side; his defence of

his proceedings in the House of Commons was, however, complete. He promoted many reforms in the administration of justice in Scotland. On the fall of the Duke of Wellington's Government in 1830 he resigned office, but was re-appointed Lord Advocate by Sir Robert Peel in 1834 and again in 1841. He died October 19, 1842.

RAWDON.

REDDIE, JAMES, was born at Dysart in 1773 and educated at the University, Edinburgh, being a contemporary of Henry Brougham and his friends. He completed his education at Glasgow and was admitted Advocate in 1797. In 1804 he was appointed to the offices of town-clerk, assessor of the magistrates, and presiding judge in Glasgow. He wrote many books on legal matters, and died April 5, 1852.

REID, JAMES, was preceptor in the family of Lord President Dundas. He was ordained August 21, 1766, and became minister of Lamington in the presbytery of Biggar, but failing to agree with his parishioners was transferred to Kinglassie in the Presbytery of Kirkcaldy, 1773. He married, December 29, 1773, Alexandrina Fyers, by whom he had a son, Sir William Reid, K.C.B., a distinguished General. He died in his eighty-fifth year, December 6, 1816.

RICHARDSON, JOHN, was born May 9, 1780. On his mother's side he was related to the Brougham family. Educated at Dalkeith and Edinburgh, he became intimate with the Broughams, Francis Jeffrey, Cockburn, and Sir Walter Scott. He qualified as a solicitor and removed to London, where he founded the Parliamentary firm, Richardson, Loch, and MacLaurin. His intimacy with Sir Walter Scott continued till the death of the latter. Richardson died October 4, 1864.

RIQUELÈNE, DON RODRIGO, the President of the Court of Chancery, Granada.

ROBERTS.

ROBERTSON, DAVID, the youngest son of William Robertson the historian, was born in 1764, and entered the East India Service as a cadet in the Bengal Presidency in 1783, becoming an ensign, April 8, 1785, and Lieutenant, October 9, 1793. In 1799 he married Margaret, daughter of Colonel Donald Macdonald, Governor of Tobago, and heiress of Kinloch-Moidart, assuming the name of Macdonald. He rose to the rank of Lieutenant-Colonel, and raised the first Malay regiment in Ceylon.

ROBERTSON.

ROBERTSON.

ROBINSON, GEORGE, was born at Dalston in Cumberland in 1737. He came up to London and

was some time with John Rivington the publisher. In 1763 he set up in business as a bookseller in partnership with a John Roberts, and purchasing many copyrights, by 1780 was carrying on a large wholesale trade. In 1793 the firm was fined for selling Paine's *Rights of Man*. Died in London, June 6, 1801.

ROBISON, JOHN, was born in 1739 and educated at the Glasgow Grammar School and University, graduating in 1756. In 1758 he went to London, and in the following year became tutor to the son of Admiral Knowles, a midshipman, whom he accompanied to Canada, seeing much active service, being with Wolfe the night before the latter's death. Returning to England in 1762, Robison was sent to Jamaica in charge of Harrison's chronometer, and on his return renewed his acquaintance with James Watt the engineer—an acquaintance which soon ripened into friendship. In 1766 Robison succeeded Dr. Black as lecturer on Chemistry in the Glasgow University, and in 1770 accompanied Admiral Knowles to St. Petersburg as his private secretary. In 1773 he became professor of Natural Philosophy at Edinburgh University, and in 1783 was elected general secretary to the newly formed Royal Society of Edinburgh. He was a voluminous writer on scientific and mathematical subjects. Died January 30, 1805.

ROCHESTER, LORD.

ROSE.

ROSS, ADAM.

ROSS, GEORGE, was born in 1775 and educated at Edinburgh University, where he became a member of the Speculative Society. He rose to be a judge of the Consistory Court of Scotland and wrote a book, *The Law of Vendors and Purchasers of Personal Property*. Died in 1861.

ROWLEY.

RUSSELL, JOHN, was educated at Edinburgh University, where he became a member of the Speculative Society. Writer to the Signet in 1803, he rose in 1842 to the post of principal clerk of the Court of Session, which position he held till 1858. Died in 1862.

RUSSELL, JOHN, DUKE OF BEDFORD, was the second son of Francis Russell, Marquis of Tavistock. He was an officer in the Bedfordshire Militia, 1778-81, and ensign in the 3rd Foot Guards, 1783-5. Early in life he turned his attention to politics, and was noted as a parliamentary reformer and a member of the Society of the Friends of the People. In 1778 he entered the House of Commons as one of the members for Tavistock, sitting for this constituency till he succeeded his brother as Duke of Bedford in 1802. In 1806 he was Lord-Lieutenant

of Ireland under the ministry of 'All the Talents,' and after the resignation of the ministry in 1807 he devoted himself to the improvement of his properties. He was twice married, the wife referred to in these letters being Georgiana, fifth daughter of Alexander, the fourth Duke of Gordon, whom he married June 23, 1803; she died in 1853. The Duke of Bedford died October 20, 1839.

RUSSELL, MARY.

RUSSELL.

RUTHERFORD, DANIEL, was born at Edinburgh, November 3, 1749, and educated at the University in that city. He studied medicine and was the discoverer of nitrogen. He travelled on the Continent, 1773-5, when he returned to Edinburgh and commenced to practise. In 1786 he became professor of Botany to the University and keeper of the Royal Botanic Gardens, Edinburgh, and in 1791 was elected one of the physicians to the Royal Infirmary. Died November 15, 1819.

ST. VINCENT, LORD, John Jervis, was born January 9, 1735, and was educated at the Grammar School, Burton-on-Trent. In 1749 he joined the *Gloucester* as able seaman, remaining in her till 1752 when he was removed to the *Severn* as midshipman. In 1755 he was promoted lieutenant of the *Royal George*, and in 1756 went out to the Mediterranean

in the *Prince*, returning to England in command of the *Foudroyant* prize. In 1759 he went out to the North American station, and in command of the *Porcupine* led the advance squadron in charge of the transports at Quebec. In May 1762, while in command of a convoy to North America, he repelled a French squadron under M. de Ternay. In 1775 Jervis was once more appointed to the command of the *Foudroyant* and in her was present at the battle of Ushant, and also at the reliefs of Gibraltar in 1780 and 1781, while in 1782 he captured the *Pégase*, 74, for which services he was made K.B. In 1784 he was returned to the House of Commons as member for Yarmouth. He was promoted Rear-Admiral, September 24, 1787, and in 1793 Vice-Admiral, being given the command of an expedition to the West Indies. Returning to England in 1795, he was made Admiral. In November of the same year Jervis joined the Mediterranean Fleet as Commander-in-Chief, and by his system of rigid, even ruthless, discipline, laid the foundation of success for the English fleets. In February 1797, while the great preparations for the long talked of invasion of England were in progress, he saw it was essential to prevent the French fleet in the Mediterranean being reinforced, and accordingly took up his position off Cape St. Vincent, where on February 14, with fifteen sail of the line, he defeated the Spanish fleet of twenty-seven—a victory great indeed, more especially in view of the panic at home, but one which suffers by comparison with the later ones, in which

few of the enemy were permitted to escape. Jervis was created Earl St. Vincent, and a pension of £3000 a year was voted. In the blockade of Cadiz, St. Vincent was much hampered by the mutinous spirit which prevailed, but by prompt and stern measures he restored discipline; his health, however, failing under the strain, in June 1799 he resigned the command. He was soon after appointed to the command of the Channel Fleet, and at once proceeded to restore discipline, the measures which he took for that purpose making him most unpopular. In 1801 he was First Lord of the Admiralty, and here he reformed many abuses. Died March 14, 1823.

SANDILANDS.

SCOTT.

SCOTT.

SCOTT, JOHN, LORD ELDON, was born at Newcastle, June 4, 1751, and was educated at the Grammar School in that city and at Oxford. In November 1772 he made a runaway marriage with the eldest daughter of Mr. Surtees, a Newcastle banker, and in 1776 was called to the Bar, joining the northern circuit. At the Bar his talents and influence ensured his success. In 1782 he took silk and soon after became M.P. for Weobley. In 1788 he was knighted and became Solicitor-General, in 1793 Attorney-General, in which capacity he prosecuted

Horne Tooke and others for high treason. In 1799 he became Chief Justice of the Common Pleas as Baron Eldon, in February 1801, Lord Chancellor, and from 1807-27 was again Lord Chancellor. He spoke in Parliament for the last time in July 1834. Died January 13, 1838.

SCOTT, SIR WALTER, was born August 15, 1771. Educated at the High School of Edinburgh, he early showed signs of his capacity for writing, Ballantyne saying 'he was already an incomparable story-teller,' and his parents encouraged him in the study of literature. He was admitted to the Scotch Bar, and was a member of the Speculative Society. In his spare time he made himself thoroughly acquainted with the Border country. He was married, December 24, 1797, to a Miss Carpenter, the daughter of a French refugee, and Scott now turned his attention seriously to literature. Early in 1802 his *Border Minstrelsy* was published, followed by his other well-known works. When Ballantyne commenced publishing in Edinburgh, Scott financed him and in 1805 became a partner. In 1826 he was ruined by the failure of the firm, and devoted the remainder of his life to paying his creditors. He died at Abbotsford, September 21, 1832.

SETON.

SHELDON.

SHEPHERD, SIR SAMUEL, was born April 6, 1760,

and was educated at the Merchant Taylors' School, 1773-4, and then at Chiswick. He was called to the Bar in 1781, and joined the home circuit. He soon acquired a good practice, and was known as being a sound lawyer. In 1796 he became a sergeant-at-law, and in 1812 was appointed Solicitor-General to the Prince of Wales. In 1814 he was knighted, and in 1817 was made Attorney-General. His chief cases were the prosecutions of James Watson for high treason at the Spa Fields, and Richard Carlile, publisher of the *Age of Reason*. He was Lord Chief Baron of the Court of Exchequer in Scotland, 1819-30, and was an intimate friend of William Adam and Sir Walter Scott. In 1783 he married a Miss White, said by Sir Walter Scott to have been 'fine and flighty'; she died in 1833. Sir Samuel died November 3, 1840.

SHERIDAN, RICHARD BRINSLEY, was born October 30, 1751. Educated in Dublin and at Harrow, he entered at the Middle Temple, April 6, 1773, and on April 13 the same year was married to Miss Linley. At this time he worked at the drama, and January 17, 1775, *The Rivals* was performed for the first time, to be withdrawn and revised at once. He continued as a dramatist till 1799. On September 12, 1780, he entered Parliament as member for Stafford, and soon forced his way into the front rank, being a staunch supporter of Fox. In 1782 he was Under-Secretary for Foreign Affairs under Rockingham. He was conspicuous in the

proceedings against Warren Hastings. His wife died in 1792, and in 1795 Sheridan married again. He was one of the most conspicuous opponents of the Union. In 1806, under the ministry of 'All the Talents,' he was treasurer of the Navy with the rank of Privy Councillor. After the fire at Drury Lane Theatre his financial position was seriously involved, and his health commenced to fail. It is commonly stated, but is untrue, that he died a neglected pauper. He died June 30, 1816, and was buried in Westminster Abbey.

SHERIDAN, THOMAS, was born March 17, 1755, and entered the Army, being for some time aide-de-camp to Lord Moira. In 1805 he married Caroline Henrietta Callander, by whom he had four sons and three daughters. In 1813 he was appointed colonial treasurer at the Cape of Good Hope, where he died of consumption, September 12, 1817.

SIEYÈS, EMMANUEL JOSEPH, was born at Fréjus (Var), May 3, 1748. He was educated by the Jesuits, and early distinguishing himself by his original opinions, was appointed Vicar-General by the Bishop of Chartres. He took a leading part in the convening of the States-General, and in 1789 was elected as one of the representatives of Paris on that body, and became one of its recognised leaders. His conduct during the worst excesses of the Revolution was despicable : he remained silent till he feared his own life was in danger, and then publicly abjured

his faith at the Feast of Reason, Nôtre Dame, in November 1793. In 1795 he concluded an offensive and defensive alliance between the United Provinces and France, and in 1798 was appointed plenipotentiary of France to Prussia. He took a prominent part in Napoleon's *coup d'état*, and was made a Count of the Empire. He died in Paris, June 20, 1836.

SINCLAIR, SIR JAMES.

SMELLIE, WILLIAM, was born in 1740, and was educated at a grammar school in Edinburgh. In 1752 he was apprenticed to Messrs. Hamilton, Balfour, and Neale, printers in Edinburgh, and while with them attended the University. In 1760 he helped in the founding of the Newtonian Society and commenced to study botany, and in 1765 gained a gold medal for a 'Dissertation on the Sexes of Plants.' In the same year he commenced business on his own account with two partners, but after repeated changes in 1771 he and Balfour became associated, and were appointed printers to the University. He was a contributor to the first edition of the *Encyclopædia Britannica*, and in 1773 he and Dr. Gilbert Stuart started the *Edinburgh Magazine*, which was discontinued in 1776. He was a voluminous writer. Died June 24, 1795.

SMITH, ADAM, was born at Kirkcaldy, June 5, 1723. When three years old he was carried off

by gypsies, but recovered. He was educated at Glasgow and Oxford. January 9, 1751, he was elected to the chair of Logic, Glasgow, and in October commenced his lectures. In 1752 he was transferred to the chair of Moral Philosophy. With David Hume the elder he was on familiar terms, their friendship lasting through life. In 1759 he published his *Theory of Moral Sentiments*. In 1764 he was employed as tutor to the Duke of Buccleuch, and went with him to Paris, where he met Voltaire and many other eminent men, returning to England in 1766. In 1776 he published the *Wealth of Nations*, and the following year was made Commissioner of Customs. In 1787 he was elected Lord Rector of Glasgow University. Died July 17, 1790.

SMITH, SYDNEY, was born at Woodford in Essex, June 3, 1771, and educated at Winchester and Oxford. He entered the Church, and was for two years curate in a small village on Salisbury Plain. In 1797 he was in Edinburgh, and remained there five years. He was the prime mover in the founding of the *Edinburgh Review*, and edited the first number, continuing to write for it for twenty-five years. In 1803 he went to London, where he became noted for his preaching and as a wit, and lectured on moral philosophy at the Royal Institution, 1804-8. In 1806 he was presented with the living of Foston-le-clay in Yorkshire. He died in London, February 22, 1845.

SMITH, SIR WILLIAM SIDNEY, was born June 21 1764. He went to school at Tonbridge and Bath, and in June 1777 he entered the Navy. He saw some service on the North American station, taking part in the capture of two frigates. He was present at the battle of St. Vincent and also at the three actions with De Guichen in 1780, in which year he was promoted Lieutenant of the *Alcide*, in which ship he saw more service in the following two years. At the close of the war he returned to England, and then visited France and Gibraltar. In 1790 he served under the Swedes in an irregular manner, seeing service both afloat and on shore. When war broke out once more between France and England, he joined Lord Hood and saw much service in the Mediterranean, being taken prisoner and sent to Paris in 1796, and remained prisoner for two years, when he succeeded in escaping. In 1798 he was appointed to the command of the *Tigre*, and joined Lord St. Vincent, but in a very anomalous capacity, as he held a commission under the Foreign Office appointing him joint plenipotentiary with his brother in the Levant. March 3, 1799, he took over the command at Alexandria, and immediately put the defences of Acre in as good order as possible, which town he successfully defended against Napoleon, who said later that Smith had caused him to miss his destiny. In 1802 he was returned to Parliament, and in 1805 was promoted to Rear-Admiral. In 1806 he was sent to co-operate with the military, but his vanity caused great annoyance, though his

ability was recognised. In 1810 he was promoted Vice-Admiral, and in 1814 retired. He died in Paris, May 26, 1840.

SMYTHE, DAVID, was born January 17, 1746, and admitted Advocate, August 4, 1769. He was raised to the Bench in succession to Francis Garden, November 15, 1793, under the title of Lord Methven, and in 1796 was appointed a Commissioner of Justiciary, resigning in 1804. Died January 30, 1806.

SMYTHE, PERCY CLINTON SYDNEY, was the eldest son of Lionel, fifth Viscount Strangford. Born in London, August 31, 1780, he was educated at Trinity College, Dublin. In 1802 he entered the diplomatic service as Secretary of Legation at Lisbon, and in 1806 was Minister-Plenipotentiary *ad interim*. In March 1808 he was made a Privy Councillor, and went as envoy-extraordinary to the Portuguese court in Brazil, returning in 1815. In 1817 he was ambassador to Sweden, 1820 to Constantinople, and later at St. Petersburg. On his return in 1825 he was created Baron Penshurst. He died in London, May 29, 1855.

SOMERS.

SPECULATIVE SOCIETY. The Speculative Society was founded in Edinburgh in 1764 by some of the students at the University, 'for improvement in literary composition and public speaking.' Origin-

ally the membership was limited to twenty, but in 1769 the number was raised to twenty-five. At first the Society met on Friday evenings at 6. In 1770 the day was changed to Tuesday, and in 1791 the hour was altered to 7. Absent members were subject to a fine, and fines were also exacted for being late for the meetings. In 1769 a hall was built by the Society, by permission of the Town Council, on a vacant part of the College grounds. In 1784 a library was started. In 1826 the law prohibiting discussion of the politics of the day was repealed on the grounds that '*its violation had been for many years systematic and beneficial.*' The Society is still in a flourishing condition, abiding jealously by its old laws as amended from time to time.

SPEIRS.

SPENCER, GEORGE JOHN, the second Earl, was born September 1, 1758, and was educated at Harrow and Cambridge. He travelled on the Continent for two years, after which he entered Parliament as member for Northampton in 1780, and in 1782 was returned for Surrey. In 1783 he succeeded his father as Earl Spencer, and became a supporter of Pitt. In 1794 he went to Vienna as ambassador-extraordinary, and in December of that year was appointed First Lord of the Admiralty, an office which he held with great success for six years. In 1806-7 he was Home Secretary in Fox's administration. Died November 10, 1834.

SPENCER, LAVINIA, wife of the second Earl, was the eldest daughter of Charles Bingham, first Earl of Lucan. She was married in March 1781. Owing to ill-health she was compelled to stay abroad about 1783, and was well known and popular. Nelson and Collingwood frequently referred to her in their letters. Died in June 1831.

SPENCER, LORD ROBERT, the third son of the third Duke of Marlborough, was born May 3, 1747. He was returned to Parliament for Woodstock in 1768, and sat as member for Oxford, 1771-90; Wareham, 1790-9; Tavistock, 1802-7, 1817-18; and Woodstock, 1818-20. He married, October 2, 1811, Henrietta, the widow of the Hon. Edward Bouverie. Died June 23, 1831.

STEELE, ANDREW, of Crosswood Hill, was educated at Edinburgh University, where he became a member of the Speculative Society. He was admitted Writer to the Signet, 1788. Died 1832.

STEPHEN, JAMES, was born June 30, 1758. His father falling into financial difficulties, James was educated in a desultory manner by his relatives. He was called to the Bar, January 26, 1782, and the following year sailed for the West Indies, where he enjoyed a fair practice. While in the West Indies he became imbued with a hatred of slavery, and in 1789, on his visiting England, communicated with Wilberforce.

On his finally settling down in England he was married to Wilberforce's sister, and the intimacy between the two men became closer than ever. In 1808 he was returned to Parliament, and there identified himself with the opponents of slavery, considering even Wilberforce lukewarm on the question, because he had time to consider other questions. He was also known as a strong supporter of the Orders in Council, and he and Brougham were recognised as the protagonists in the debates on that question. He published many pamphlets, amongst others, *The Crisis in the Sugar Colonies*, in 1802, to which Brougham refers in these letters. Died October 10, 1832.

STEVENSON.

STEWART, DUGALD, was born at Edinburgh, November 22, 1753, being educated at the High School and University there. In 1771 he studied in Glasgow with a view to entering the Church, but the following year was called upon to assist his father, who was professor of Mathematics at the Edinburgh University, and in 1775 was elected joint professor. In 1778 he lectured on Moral Philosophy in place of Adam Ferguson. In 1785, on the resignation of Ferguson, he succeeded him in the chair, and his lectures brought him into contact with many distinguished men. In addition to his labours as professor, he was a voluminous writer. Died July 11, 1828.

STUART, SIR CHARLES, was born in January 1753, and entered the Army as ensign in 1768. In 1777 he was appointed Lieutenant-Colonel of the 26th Foot, and served with that regiment in the American War. In 1782 he was promoted Colonel, and in 1793 Major-General. In 1794-5 he was employed in the Mediterranean, and in 1796 in Portugal. In 1798 he was promoted Lieutenant-General and sent to Minorca, where he compelled the Spanish force to capitulate, and in 1799 was appointed Governor. Ordered to Malta, he reduced the fortress of Valetta. He died at Richmond Lodge, March 25, 1801.

STUART, SIR CHARLES, Junior, was the eldest son of General Stuart, and was born January 2, 1779. He entered the diplomatic service, and in 1808 became joint Chargé d'Affaires at Madrid, and in 1810 was sent as envoy to Portugal. He was minister at the Hague, 1815-16, ambassador to Paris, 1815-30, and to St. Petersburg, 1841-45. In 1828 he was created Baron Stuart de Rothesay. Died November 6, 1845.

STUART, JAMES, was born in 1775, and educated at the High School and University in Edinburgh. In 1798 he was admitted Writer to the Signet. He was a Justice of the Peace, and took a keen interest in local affairs, though his Whig enthusiasm gave great offence. When the *Beacon*, a Tory paper, was started, it printed a series of virulent attacks on him and in 1821 these were continued in the *Glasgow*

Sentinel, which led to a duel between Stuart and Sir Alexander Boswell, in which the latter was killed. Stuart was tried for murder but acquitted. In 1828 he sailed for America, where he remained for three years. Died November 3, 1849.

SYME, JOHN, was educated at Edinburgh University, and became a member of the Speculative Society. Admitted Writer to the Signet in 1794. Died 1821.

SYME.

TAIT, CRAWFURD, of Harvieston, was educated at Edinburgh University. He was a member of the Speculative Society, being President, 1788-89 and 1790-91. He became a Writer to the Signet in 1789. Died in 1832.

TAYLOR, WILLIAM, was educated at Edinburgh University, joining the Speculative Society at the same time as his friends W. G. Adam and James Brougham. He was called to the Bar at Lincoln's Inn in 1807.

TENNANT, WILLIAM, was a chaplain in the service of the East India Company. He wrote two books, the first of which, *Indian Recreations: consisting chiefly of strictures on the Domestic and Rural Economy of the Mahommedans and Hindoos*. By the Rev. W. Tennant, LL.D., M.A.S., and lately one of His Majesty's Chaplains in India. 2 vols. 8vo,

pp. 834. Edinburgh: Anderson. London: Longman and Rees, 1803,' which was severely criticised by James Loch in the *Edinburgh Review* (article 8, 1804); the second, '*Thoughts of the effects of the British Government on the state of India, accompanied with hints concerning the means of conveying Civil and Religious Instructions to the Natives of that country.* By the Rev. William Tennant. 8vo, 7s.,' was noticed, but never reviewed.

THOMSON, THOMAS.

THORNTON, HENRY, was born March 10, 1760, and after attending two schools in Wandsworth, he in 1778 was placed in the counting-house of a Mr. Godfrey Thornton. In 1780 he joined his father's house, and three years later became a partner, the partnership being dissolved in 1784, when he joined the bank of Downe, Free, and Thornton, of which firm he remained an active member till his death. In September 1782 he was elected member for Southwark, which constituency he represented till his death. In Parliament he was not bound to either party, supporting measures of which he approved no matter by whom they were brought forward. He was a supporter of Reform and Roman Catholic Emancipation and the Anti-Slave Trade measures. Died January 16, 1815.

THORNTON, ROBERT JOHN, was born in 1768 and educated at Cambridge. Originally intended

for the Church, he abandoned the idea and became a doctor, commencing to practise in London in 1797, and became lecturer on Medical Botany to Guy's Hospital. He published many works on medicine and political matters. The illustrations to his books, however, were so expensive that they practically ruined him. Died January 21, 1837.

TIDD, WILLIAM, was born in 1760, and called to the Bar in 1813 after thirty years' practice as a special pleader. He wrote various books on law, the best known being his *Practice of the Court of King's Bench*. Died February 14, 1847.

TIERNEY, GEORGE, was born at Gibraltar, March 20, 1761, and was educated at Eton and Cambridge. In 1789 he was returned to Parliament for Colchester, but lost his seat the following year, and then wrote some pamphlets on India. Returning to Parliament again in 1796, he became one of Pitt's most active opponents, but by continuing to sit in Parliament when Fox and other prominent Whigs withdrew, he lost the confidence of his party. His criticism of Pitt's financial measures was especially trenchant. In 1802 it was supposed that he was willing to take office under Addington, and he nearly lost his seat in consequence, taking office as Treasurer to the Navy in the following year. In 1806 he returned to office as President of the Board of Control, and in 1817 became the recognised leader of the Opposition, though he never had the

confidence of his followers. He died suddenly, January 25, 1830.

TOOKE, JOHN HORNE, was born June 25, 1736, his father being John Horne, a poulterer. He was educated at Westminster, Eton, and Cambridge. He was ordained November 23, 1760, and his father bought him a living at New Brentford. In 1763 and 1765 he travelled on the Continent as a private tutor, and did not return to England till 1767. He was then engaged in vigorously defending Wilkes from the charges brought against him, and other political work. In 1771 he quarrelled with Wilkes, and by his petty and malicious personalities lost his popularity. In 1773 he resigned his living and commenced to study law. In 1777 he was tried on a charge of sedition and sentenced to imprisonment for one year and a fine of £200. About this time he added the name Tooke. In 1794 he was tried on an indictment for high treason but acquitted. In 1801 he was returned to Parliament. He died at Wimbledon, March 18, 1812.

TORRÉ, DON JOSÉ GARCIA DE LA, a member of the Central Junta and Advocate of the Royal Courts.

TORRENCE.

TROWBRIDGE, SIR THOMAS, was educated at

St. Paul's School, London, and entered the Navy in 1773, joining the *Seahorse* as A.B., in which ship he went to the East Indies. In 1774 he became a midshipman, and in 1780 was transferred to the *Superb*. In March 1781 he was once more in the *Seahorse*, and was present in the battle off Sadras on February 17, and in that off Trincomala on April 12, 1782. Between this date and 1785 when he came home he saw much service in several ships. In 1790 he again went out to the East Indies in the *Thames*. In 1794, after his return to England, he was appointed to the *Castor*, 32, and was in May captured by the French *Sanspareil*, 80, being in her during the action off Ushant, June 1, 1804. He was next appointed to the *Culloden*, and in her led the line at the battle of St. Vincent, and was present at the battle of the Nile, though there unfortunately the *Culloden* ran aground and was unable to assist.

In 1801 he became a Lord of the Admiralty, resigning in 1804, in which year he was promoted Rear-Admiral. In 1805 he was appointed to the *Blenheim* to the chief command in Eastern waters, east of Point de Galle, but he and Pellew represented to the Admiralty the danger of dividing the command, and Trowbridge was ordered to the Cape of Good Hope. On his way there the *Blenheim*, which was totally unseaworthy, disappeared.

TYTLER, ALEXANDER FRASER, was born October 15, 1747, and educated in Edinburgh and London, finishing at the Edinburgh University. He was

admitted Advocate, January 23, 1770. In 1780 he was appointed joint professor of Universal History at the University. In 1790 he was appointed Judge-Advocate of Scotland, and in 1802 was raised to the Bench with the title of Lord Woodhouselee, and in 1811 became a Lord of Justiciary. He was a voluminous writer, and died January 5, 1813.

TYTLER, WILLIAM FRASER, son of Alexander Fraser Tytler, was a member of the Speculative Society. Admitted Advocate in 1799, in 1801 he became professor of Universal History in Edinburgh University, Sheriff of Inverness-shire in 1810, and died in 1853.

VALDEZ, JUAN ANTONIO MELENDEZ, was born March 11, 1754, and took the degree of Doctor of Laws at Salamanca. In 1789 he was made a Judge at Saragossa, and in 1797 was appointed Advocate-General in Madrid. He was a Councillor of State and Director-General of Public Instruction. He died May 24, 1817.

VAN YESENDOORN.

VERI, DON THOMAS DE, a member of the Central Junta, was a Knight of the Order of San Juan and Lieutenant-Colonel of the Regiment of Volunteers of Palma.

WAITE.

WALKER, PETER.

WALLACE, WILLIAM, was born at Dysart, September 23, 1768. He was apprenticed to a book-binder in Edinburgh, later becoming warehouseman in a printing office. He taught himself French, Latin, and Mathematics, and attended classes at the University. In 1794 he was appointed assistant teacher in Perth Academy. In 1803, by Playfair's advice, he applied for and obtained the post of Mathematical Master at the Royal Military Academy, Great Marlow.

From 1819-1838 he was professor of Mathematics at Edinburgh University. He died April 28, 1843.

WALTER, JOHN, the son of the founder of the *Times*, and the man who really established that paper, was born February 23, 1776, being educated at the Merchant Taylors' School and Trinity College, Oxford. In 1798 he assisted his elder brother in the management of the paper, becoming sole manager and editor in 1803. Owing to his opposition to Pitt, the Government withdrew his appointment as Printer to the Customs. In 1810 he was succeeded as editor by Sir John Stoddart.

Walter introduced steam-printing machinery in 1814. In 1832 he was elected member for Berkshire, retaining the seat till 1837. In 1841 he was elected for Nottingham, but unseated on petition in the following year. He died in London, July 28, 1847.

WARDLAW.

WARRE, SIR WILLIAM, was born April 15, 1784, and educated at Harrow. In 1803 he received an ensign's commission in the 52nd Foot, promoted Lieutenant, 1804, and on April 25, 1806, purchased his Company in the 98th, exchanging into the 23rd Light Dragoons. In May 1808 he was aide-de-camp to Sir Ronald Ferguson, and with him landed in Portugal and took part in the battles of Rolica and Vimeira. He was sent to Lisbon, being too ill with dysentery to return to England, and on his recovery was attached to the staff of General Beresford, serving with him through Sir James Moore's campaign and the Peninsular campaign till 1810, when he returned to England owing to ill-health. He rejoined Beresford in 1811, and returned to England once more in 1812, having been present at the captures of Ciudad Rodrigo and Badajoz, and the battle of Salamanca. He was Deputy Quartermaster-General at the Cape of Good Hope, 1813-21, and held various staff appointments till 1841, when he was promoted Major-General, and in 1851 Lieutenant-General. He was knighted 1839. Died July 26, 1853.

WARREN, SIR JOHN BORLASE, was born September 2, 1753. Educated at Cambridge 1769-71, and then intermittently. He entered the Navy, April 24, 1771, and in 1774 was elected member for Marlow. In 1777 he re-entered the Navy, and went out to the North American station. He became Lieutenant in

1778, and returned to England. In 1793 he was appointed in command of the *Flora*, 36, and in 1794 took command of a squadron of frigates, with which he captured three out of a squadron of four French frigates, and for some time was employed in protecting English commerce. In 1797 he was given command of the *Canada*, 74, and hearing in 1798 of the French expedition to Ireland, he followed, and on October 12 brought the French fleet to action, with complete success. He was promoted Rear-Admiral, February 14, 1799, and appointed to the *Téméraire*, in which he was employed in the Bay of Biscay and the Mediterranean. In 1802 he was made a member of the Privy Council, and sent to St. Petersburg as ambassador-extraordinary. In 1805 he was Vice-Admiral, and in 1810 Admiral. In 1813 he was Commander-in-Chief on the North American station, but relieved the following spring. He died February 27, 1822.

WEBB.

WEDDERBURN, ALEXANDER, was born at Edinburgh, February 13, 1733, and educated at Edinburgh University. He was admitted Advocate, June 29, 1754; but in 1757, after an altercation with the judges trying a case in which he appeared, he took off his robes in court, and announced his intention of never again donning them. In November of the same year he was called to the English Bar, and in 1761 was returned to Parliament as member for Ayr

Burghs, retaining his seat till 1768. In 1763 he took silk and joined the northern circuit, but soon ceased to attend, confining his attention to Chancery work in London. In 1771 he succeeded Thurlow as Solicitor-General under Lord North, whom he had hitherto consistently opposed, and in 1778 became Attorney-General. In 1780 he was appointed Chief Justice of the Court of Common Pleas, and raised to the peerage as Baron Loughborough. In January 1793 he became Lord Chancellor, retaining office for three years, and being created Earl of Rosslyn. He died suddenly, January 2, 1805.

WELLESLEY, SIR ARTHUR, was born in 1769, the date being doubtful—his mother saying May 1, the nurse March 6, and the papers April 29! He was educated at Chelsea, Eton, and Brussels. March 7, 1787, he was gazetted to the 73rd Regiment but did not join it, being aide-de-camp to the Lord-Lieutenant of Ireland, 1787-93. He was in the Irish Parliament from April 1790 to June 5, 1795. In June 1794 he was Lieutenant-Colonel of the 33rd Regiment, and took part in the campaign in Holland under the Duke of York in that year. In 1796 his regiment was ordered to India, and he landed at Calcutta in February 1797. He was present at the assault on Seringapatam, and when the army was withdrawn from Mysore he was left in command of the troops remaining, and reduced the country to quietness. He became Major-General in 1802, and was in command of the

Mahratta campaign, and commanded at the battle of Assaye. In February 1805 he resigned his civil and military appointments in India, and arrived in England, September of the same year. He was in Parliament from 1806-8, and in charge of the land operations against Copenhagen which ended in the surrender of that city. He was promoted Lieutenant-General, and in 1808 was sent to Portugal, where he successfully fought the battle of Vimeira. Being superseded by Sir Hew Dalrymple, the victory was not followed up, and the Convention of Cintra was signed. In April 1809 he again landed at Lisbon, to remain in the country for the remainder of the war. His victories and troubles are too well known to need description here. He landed in England again on April 23, 1814, being created Duke of Wellington for his services. On the 5th of July he was appointed ambassador to Paris, and in February 1815 to Vienna. On Napoleon escaping from Elba Wellington left for Brussels, arriving there April 4, and commenced the campaign ending at Waterloo, June 15, 1815. He remained in France in command of the army of occupation till November 1818, when he became Master-General of Ordnance, retaining that office till 1827. He was Commander-in-Chief, 1827-8, and again 1845-52; Premier, 1828-30, and again in 1834, taking office under Sir Robert Peel the same year. He died September 14, 1852.

WEMYSS.

WHISHAW, JOHN, was born 1764, and educated at the Grammar School, Macclesfield, and Cambridge. He was admitted a student at Gray's Inn in October 1789, being called to the Bar, June 27, 1794. He practised in the Chancery Courts with some success, but in 1806 was made a Commissioner of Public Accounts, which office he held till 1835, when, owing to failing eyesight, he retired on a pension. In 1845 he edited *The Journal of a Mission to the Interior of Africa in 1805 by Mungo Park*, to which he added an account of the explorer's life. He was a Whig in politics and one of the familiars at Holland House. He became a Fellow of the Royal Society, February 23, 1815; was on the Council of London University, and on the Committee of the Society for the Diffusion of Useful Knowledge from its inception to his death, which occurred December 21, 1840.

WHITBREAD, SAMUEL, was born in 1758, and educated at Eton, Oxford, and Cambridge. He travelled on the Continent, 1784-6, and on his return devoted his attention to his father's brewery. In 1789 he married the eldest daughter of Sir Charles Grey, and the following year was elected member for Bedford in the Whig interest. He very soon took a prominent part in debate, and became one of the recognised leaders of the Opposition. He was an advocate of the abolition of slavery and of reform, and was in favour of making peace with France. He was the leader of the attack on Lord Melville, and when that statesman was impeached

he was made manager, and proved himself a virulent enemy. In 1807 his extreme policy in favour of peace led to his gradual loss of the confidence of the party. He was a warm friend of the Princess of Wales, and when she left England in 1814 he wrote expressing 'his unalterable attachment, his devotion and zeal for her re-establishment.' He was concerned with the rebuilding of Drury Lane after the fire, and by many was considered to have treated Sheridan badly in the financial transactions. He cut his throat, July 6, 1815.

WHITE.

WILSON.

WINDHAM, WILLIAM, was born May 3, 1750, and educated at Eton and Oxford. He first attracted attention by a speech made January 28, 1778, opposing the scheme of obtaining money to carry on the American War by means of a subscription. In 1784 he was returned as member for Norwich. In 1794 he became Secretary for War and was responsible for the expedition to Quiberon. He did much to raise the standard of comfort for the troops. He made many attacks on the volunteers, though raising and commanding a corps himself. He died May 11, 1810.

WITT.

WOOD.

WORTLEY, LOUISA.

WORTLEY, MARY.

WYLDE, JOHN.

YORK, DUKE OF. Frederick Augustus, the second son of George III., was born August 16, 1763, and November 1, 1780, was gazetted a Colonel in the Army, being sent to Hanover the following year, where he studied military science. He was promoted Major-General, 1782, and Lieutenant-General, 1784, returning to England in 1787. He commanded the army in Flanders, 1793-5, and in spite of his want of success was made Field-Marshal in 1795 and Commander-in-Chief 1798, and in 1799 was given command of the army for the invasion of Holland, being once more completely unsuccessful. As Commander-in-Chief he did much by putting down abuses to render success in the field a possibility, but was retired in 1809 owing to his entanglement with Mary Anne Clarke, being, however, reappointed in 1811. In 1814 and 1815 he was thanked by Parliament for his services. He died January 5, 1827.

YOUNG, SIR GEORGE, was born June 17, 1732. In 1746 he went to sea and soon joined the East India service, leaving it 1757 to enter the Navy. He was present as a midshipman at the reduction of Louisbourg, 1758, and in a boat expedition the following day. In 1759 he was present at the capture of

Quebec, and in 1761 was promoted Lieutenant. In 1768 he was promoted Commander, and for some time served on the West African station. In 1777 he was Flag-Captain to Sir Edward Vernon and was present at the skirmish of Pondicherry. He became Rear-Admiral, 1794, Vice-Admiral, 1799, and Admiral, 1804, but saw no further service. He died June 28, 1810.

AFTER-WORD

IN this, the concluding portion of the work, it has not been found possible to keep to the original intention of giving authority for every statement made concerning each of the many people who form the subject of this Appendix. Were it attempted, the result would be such a confusion of paragraphs that the Appendix would probably be thrown aside as unreadable. The paragraphs have been compiled with much labour from varied sources—old Gazettes, the *Annual Register*, *London Magazine*, and many similar publications of the period; from articles in the *Encyclopædia Britannica*, the *Dictionary of National Biography*, and the *History of the Speculative Society*. Much assistance has also been obtained from the various publications by Haydn, while in many instances the annotators have been greatly assisted by members of the families concerned, who have most kindly answered their letters and given all information to unknown correspondents.

The Appendix is purely a compilation, and no claim is made for originality. The utmost has been done to make it complete, and, while many well-known names have no paragraph, the reason is, that the individual concerned could not be *positively* identified.

The labour has been greater than anticipated, but, if the reader considers the work even fairly well done, the annotators for their part will be well satisfied.

INDEX TO APPENDIX A

- ADAM, Dr., Brougham's school-master, 1.
 'All the talents' ministry, 7.
 Allen, John, Horner's letter to, *re* Brougham, 10.
 Althorp, communication with, 72; signature to entreaty to Earl Grey, 101; resignation of, 118; reasons for, 120; once more member of Government, 122.
A mere tongue without a party, etc., Macaulay's eulogy, 138.
 Animosity shown by the King, 33.
 Anti-Corn Law League, 161.
 Army, flogging in the, 16.
 Attack on the Duke of Wellington's position as Prime Minister, 61.
 Attorney-General and Solicitor-General vote against special call to the Bar, 9; office refused, 69.
- BACON, Lord, on popular discontents, 154.
 Ballot, the, a necessary complement to the Reform Bill, 137; advocated by the Radicals, 142.
 Bar, the, Brougham's lucrative practice at, 48.
 Baring, Alexander, and Brougham, counsel for Liverpool merchants, 14; agitation *re* the repeal of Income-tax, 20.
 Barnes, the *Times* editor, quarrels with Brougham, 125; criticisms of Brougham, 149.
 Barony of Vaux, 73.
- Barristers comment on Brougham's offer, 131.
 Bayley, 42.
 'Bedchamber question,' the, Peel's failure on, 144.
 Benchers of Lincoln's Inn, application to, for special call to the Bar, 9.
 Bickersteth, Master of the Rolls, alone able to copewith Brougham, 135.
 Blacow, Rev. Mr., imprisoned, 33.
 Bourbons, the, favouring, as against Republicans and Bonapartists, etc., 45.
 Bragge, 'Hardy a protégé of,' 42.
 Brougham, Eleanor, 1.
 Brougham, Henry Peter, his birth, parentage, and education, 1; called to Scotch Bar, 4; signature to entreaty to Earl Grey, 101; death of, reported, 148; 'Hoax,' the, 150, 152.
 Brougham, Henry, senior, 1.
 Brunswickers and rabid Orangemen, the aversion of the King to, 64.
 Buckingham, Duke of, as a frequenter of ale-houses, his slang dictionary, 123, 124.
 Byron, Lord, *Hours of Idleness*, criticism of, in *Edinburgh Review*, 5.
- Cabinet dinners*, divulgence of secrets traced to, 109.

- Camelford, Brougham returned as member for, unseated, returns to the Bar, 16.
- Campbell, Lord, Brougham's biographer, 3; his theory *re* Brougham and Whig leaders, 48; appreciation of Brougham's conduct *re* his return for York, 66; dreadfully beaten at Dudley, 103; elected for Edinburgh, 104; conspiracy to separate Grey and Brougham, 111; his irresponsible gossip, 121; on Brougham's continuing to sit with the Whigs, 155; imputes ulterior motives, 156; his Libel Bill, 160; with Brougham in Westmorland, 169.
- Canada Bill, the, 143.
- Cannes Deputies, Brougham's determination *re*, 163.
- Canning accepted as Foreign Secretary, 48; monstrous truckling to obtain office, 49; to form a new administration, supported by Brougham, 52; death of, 54; Grey's rooted distrust of, 57; and Brougham's speech for the Queen, 26; committed to the custody of the Sergeant-at-Arms, 49.
- Carlton House, consternation at, 18.
- Caroline, appoints Brougham her Attorney-General, 22; suspicious of Brougham, 23.
- Castlereagh, Lord, and recall of orders *re* neutral commerce, 16; papers *re* the Queen's conduct, 25.
- Catholic Emancipation, accused of deserting, 49, 53, 60, 64.
- Catholic Question, the, and Irish tithes, 45.
- Central Criminal Court, Brougham and establishment of, 124.
- Chancellor, the, in a scrape, 41, 42. 'Chanceilor, the, kneeling!' 82.
- Chancellor, the, states his views to his colleagues, 105.
- Chancellorship, Brougham's defence on his acceptance of, 74.
- Chancery Court Reform, Bill for, 76.
- Chancery, High Court, Brougham's report to the King, 79.
- Charity abuses, appointment of commission of inquiry into: Extending to Universities, Eton and Harrow, 44.
- Chartist riots, Brougham's reference to, 153.
- Chief Baron, office of, Canning's offer to Brougham, 52, 60.
- Church and dissenters, bitterness between, 44.
- Church Reform Papers, 97.
- Civil List and the Queen's marriage, 153.
- Cleveland, Lord, a supporter of the Duke's ministry, 65.
- Cobden and Corn Law League, Brougham opposed to, 161.
- Cockburn, companion of Brougham, 3; *Memorials re* Lord Eskgrove and Brougham, 175.
- Coercion Bill, Brougham's reply to Lord Durham, 115, 116, 117, 118; abandoned, another to be originated, 123.
- Colonial Policy of European Nations, The*, 4.
- Colonial Slavery motion defeated, 65.
- Common Law Courts, commission of inquiry, 64.
- Commons, House of, and the Reform Bill, 77, 78.
- Companions, viz. 'intellectual men,' etc., 3.
- Conduct, Brougham's irregularity of, 3.
- Consistency, Brougham's defence of his, 53.

- Continental tour, 6.
 Corn Laws crisis, 161.
 County Courts, Bill to establish, defeated, 98, 179.
 Cremieux *re* Brougham as French citizen, 164.
 Criminal Law, the revising of, 46.
 Croker, Mr., his attack on Baron Brougham, 73.
 Cross, 41, 42.
 Cumberland, Duke of, and Brougham, scene between, 99.
- DARLINGTON, Countess of, *re* Brougham's seat for Winchelsea, 19.
 Death of Brougham, *Weekly Scotsman's* article on, 174.
 Defence of Queen Caroline, extracts of speeches, 25 *n.*, 27, 28, 29, 30, 31, 32; death of, 33.
 Denman, Mr., appointed Solicitor-General to Queen Caroline, 22.
 Devonshire, Duke of, offer of of Knaresborough seat, 65.
 Dissenters and the Church, bitterness between, 44.
 D'Orsay, Count, *re* report of Brougham's death, 152.
 Drummond, Frank, companion of Brougham, 3.
 Duke, the, 65; 'illustrious by his deeds,' etc., 99.
Durham Chronicle libel, defence of the Editor, 33.
 Durham Clergy, libel of, by *Durham Chronicle*, 33, 34, 35, 36, 37.
 Durham, Lord, letter to Lord Grey *re* creation of Peers, 86; Brougham's reply to, 115; misuse of powers conferred, 143.
- ECCENTRICITY of conduct, Brougham's, 4, 126, 127, 128.
- Eden, Mary Anne, widow of John Spalding, Brougham marries, 44.
 — Thomas, father to Mary Anne, 44.
Edinburgh Review, publication of, 4; Brougham's contributions to, 6, 7.
 Education, advantages held by Scotland, extract of Brougham's speech, 19; universal system of, due to Brougham, 136.
 Eldon's timidity, 39; letter to, for Patent of Precedence, 40; Lord Chancellor, attacks on, 50; advice to his colleagues to prevent Canning becoming Prime Minister, 52.
Elgin Courier, extract from, on Brougham's condescension and rude conduct, 127.
 Ellenborough, Lord, summing up *re* Army flogging, 17.
 Ellice, Edward, letter to Wellesley concocted by, 118.
English Bards and Scotch Reviewers, 5.
 English Law, inconsistencies of, 6.
 Eskgrove, Lord, Brougham's persecution of, 4.
 Eulogy on the King's visit to Scotland, 34.
Examiner, The, article on flogging in the Army, 16; virulent article on Brougham, 150.
 Expenses and secret service money, question of payment, 8.
 Extravagant speeches in Scotland, Brougham's, 126.
- FARNHAM, Lord, Coercion Bill, 115.
 Fifty thousand pounds' annuity, Brougham's omission to propose, 22.

- Finance, Education, Law of Libel, etc. etc., motions on, 19.
- Finlay, companion of Brougham, 3.
- Flogging in the Army, 16; abolition of, 46.
- Free Trade, Adam Smith, apostle of, 170.
- French citizen, Brougham determined to become a, 163.
- GEORGE III., insanity of, Regent appointed, 16; death of, 22.
- George IV. and his ministers omit the Queen's name from the Liturgy, 22.
- Gives up profession for a precarious office, 72.
- Glengall, Lady, a friend of Leach's, 69.
- Glozing and flattery*, *re* Duchess of Kent's allowance, 139.
- Goderich, Lord, his Government clearly moribund, 55.
- Gordon, Jack, companion of Brougham, 3.
- Government impossible with Brougham as Lord Chancellor, 133.
- Graham, J. R. G., signature to entreaty to Earl Grey, 101.
- Grant, C., signature to entreaty to Earl Grey, 101.
- Great Seal, the, *verbally* demanded, Leach bent upon it, 68; sent to the King in a bag, 131; put in commission, 133; '*what has become of the*,' 135.
- 'Greatest, brightest, meanest of mankind,' 52.
- Grey, Lord, letter to, *re* the Hunts' trial, 18; letter to, *re* one silk gown for Northern Circuit, 41; letter to, *re* the Chancellor's low trick, 42; letter to, the hit at the Chancellor, 43; much correspondence between, 44; letter to, on the death of Lord Londonderry, 45; reply to Brougham, *re* arrangements of Government, 46; great confidence between, 47; *re* London University, 52; letter to, *re* the refusal of political office, 55; answer to letter *re* refusal, 56; commanded to form an administration, 68; Althorp, Duncannon, and Sefton overpersuaded by, 72; creation of Peers, Lord Durham's letter to, 86; letter to Brougham *re* creation of Peers, 92; Brougham's earnest entreaty against dissolution, 100; and charges of intrigue against Brougham, 100, 102, 110; Brougham's letters to, *re* the King's cordiality, 107; reasons for his resignation, 119.
- HANSARD and libel action, 154.
- Hardy ('a Tory favourite of Eldon'), 42.
- Harrangue*, *The*, Eskgrove's nickname for Brougham, 175.
- Hill Fort, the, position on, 55.
- His Majesty's visit to Scotland, extract from speech on, 34.
- Hohenloe, Prince, 'the modern miracle-worker,' 50.
- Holland House, footing secured, 7.
- Horner, Francis, admission to Speculative Society, 2, 4; his letter to John Allen *re* Brougham's entering Parliament, 10.
- Hours of Idleness*, criticism of, 5.
- House of Commons, return to, 19.
- of Lords, Brougham's protest against voting practice, 157.
- Huddersfield, Leeds, etc., rioters at, 18.
- Hullock, Mr. Sergeant, 40.

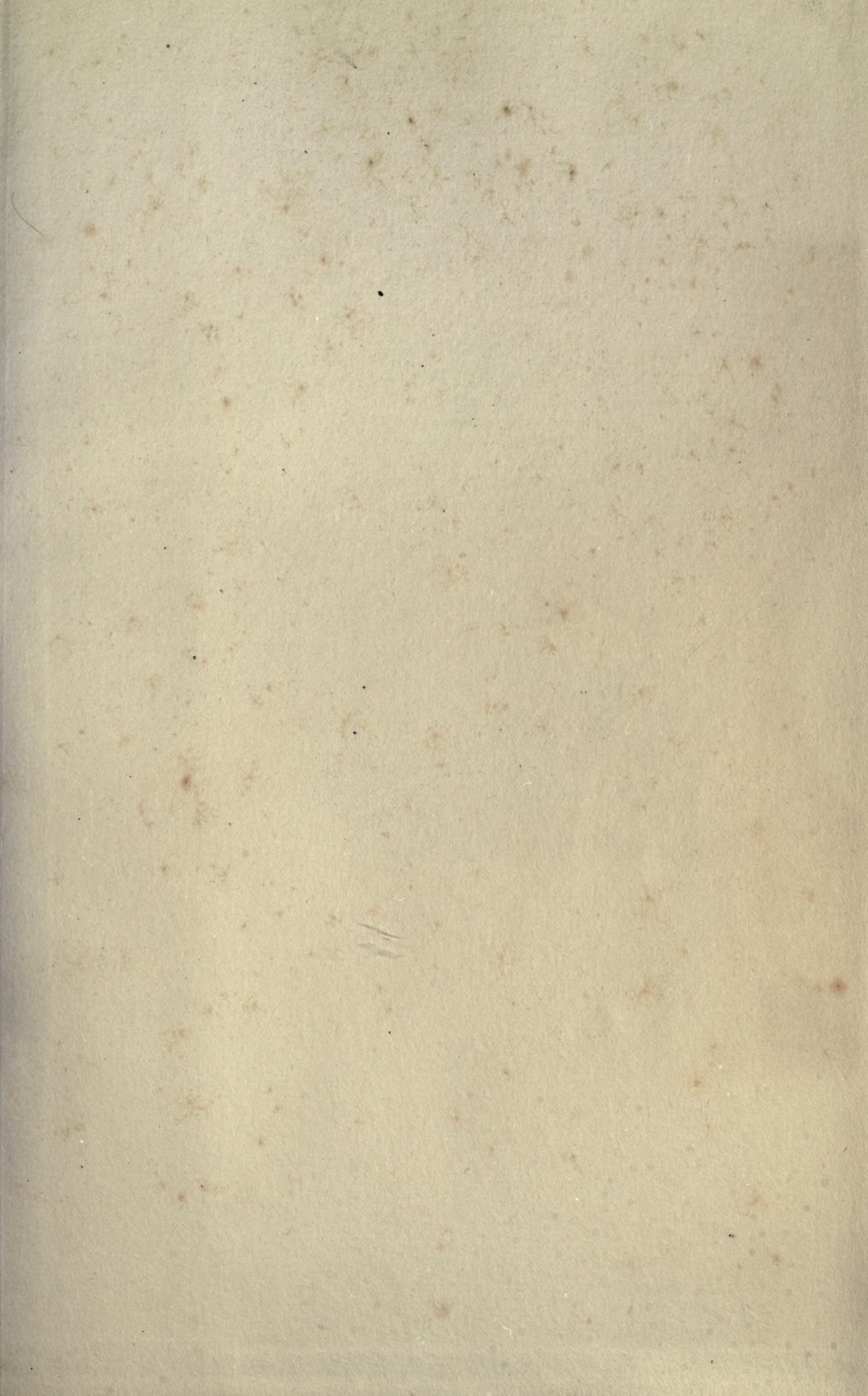
- Hunts, the, defence of, for article in *The Examiner*, 16.
- Hutchinson, Lord, meeting Brougham *re* Queen Caroline, 23.
- INCOME, refusal of, 58.
- Income-tax, agitation for the repeal of, 20; reintroduction, 156.
- Inconsistency, charge of, 53.
- Ireland, going from bad to worse, 96; courts-martial in, 98; surrendered to martial law, 103; crime in, 112; political trials in, 146.
- Irish Church Question, the, 110; Government defeated on, 132.
- Coercion Bill, Grey's resignation, 110, 112.
- marriages case, 159.
- Roman Catholics, Bill for the relief of, 48.
- JEFFREY, FRANCIS, Brougham's early association with, 2, 4; elevated to the Bench, 104.
- Jibe of Brougham's parodied, 98.
- Joining the English Bar, 6; the Northern Circuit, 9.
- Judicial procedure reform due to Brougham, 136.
- Kendal Mercury*, obituary in, 181.
- Kent, Duchess of, allowance to, 138.
- King, the, papers to Parliament *re* conduct of Queen Caroline, 23; Brunswickers and rabid Orangemen, the aversion of, 64; and prorogation, 77-78; Lord Chancellor's letter to, 79.
- LANDSDOWNE, LORD, *re* Canning-Whig coalition, 58; signature to entreaty to Earl Grey, 101.
- Lauder, Sir Thomas Dick, on Brougham's eccentricity, 4.
- Law Lords* and *Lay Lords*, distinction between, 159.
- Law reform, speech on, 63; Brougham busy on, 98.
- Leach bent upon the Great Seal, 69.
- Leeds, Huddersfield, etc., riots at, 18.
- Leeds, freedom of the city, 75.
- Libel, 'the greater the truth,' etc., 6.
- Law of, introduced by O'Connell, 104.
- Liberal Government and payment of secret service money, 8.
- Littledale 'on the shelf,' 42.
- Littleton, Mr., replies to O'Connell's attack, 114; once more member of the Government, 122.
- Liturgy, the, omission of the Queen's name from, 22.
- Liverpool, Lord, proposal for allowance to Queen Caroline, 22; sudden illness of, 52.
- Liverpool merchants' petition, 9; Brougham and Baring counsel for, 14.
- Loch, James, letter to, 3.
- London University College inauguration, Lord Campbell's criticism of, 51.
- Londonderry, Lord, death of, 44.
- 'Lord Campbell's Act,' 6.
- Lord Chancellor (Lord Eldon), Brougham's attacks on, 50; office as, accepted, 70; letter to the King, 79; and Duke of Cumberland, scene between, 99.
- Lords, House of, and the Reform Bill, disorder in, 77.
- Lyndhurst, Lord, the new Chancellor, 53; becoming Lord Chancellor, 131; factious opposition

- to Municipal Reform Bill, 133; and Brougham, the 'Siamese twins,' 156.
- MACAULAY's reply to Mr. Croker in defence of the Lord Chancellor, 73; 'an old enemy,' his eulogy on Brougham, 138.
- Macmahon *re* Carlton House and Hunt's trial, 18.
- Mansfield, Lord, and prorogation, 77.
- Marriage, Brougham's, 44.
- Marriage Law in Scotland, 169.
- Master of the Rolls, willing to accept office as, refusal by the King, 70; signature to entreaty to Earl Grey, 101; called upon to form a Government, 122; difficulty to form a Government, 132; and press protection, 134; 'the groans of suitors,' 135; 'tongue well attuned to courtly airs,' 139.
- Memoirs*, Brougham's, and failing memory, 173.
- Ministers as 'courtiers,' 143, 147.
- Ministry dismissed, 129.
- Montgomery, Mr. Alfred, *re* carriage accident, 152.
- Morning Chronicle*, observations on Brougham's death report, 152.
- Morning Post*, *The*, obituary in, 176.
- Mosstrooper, Brougham, the, 183.
- Mother Hubbard, *Examiner* article, 151.
- Municipal Reform Bill, Brougham's unwearyed exertions for, 133.
- Murray, companion of Brougham, 3, 4.
- National*, *The*, article on Brougham's French citizenship, 167.
- Navigation Laws, 169, 171; Lyndhurst's riddle to Brougham, 173.
- Negro Slavery, motion for an address to the Crown, 12.
- Neutral commerce and Liverpool merchants, 14.
- Newcastle Chronicle*, 181.
- 'Non mi ricordo,' Majocchi's evidence, 30.
- Northern Circuit reduced to one silk gown, 40.
- Nous sommes trahis*, 142.
- O'CONNELL's inordinate vanity, 64; Law of Libel introduced by, 104; Peel determined to prosecute, 157.
- Omission of Brougham, *re* Caroline's annuity, 22.
- One of the best hated men in the country, 71.
- Orange Junta, the, boldly putting down, 45.
- Orders in Council respecting neutral commerce, abolition of, 14.
- PALMERSTON, signature to entreaty to Earl Grey, 101.
- Parke (Tory), 'by no means benefited,' 43.
- Parliamentary language, 49.
- debate, Brougham's vigour in, 133.
- Peace, 'the sacred arts of,' 63.
- Peel, Sir Robert, 'to force the King to send for,' 52; leader of the House of Commons, 61; fails to form a ministry, 144; and Tory Parliament, 156; Income-tax proposals, 156; determined to prosecute O'Connell, 157; appreciation of, 162.
- Peers, the creation of, Brougham's letter on, 83; the King's refusal to consent to proposal of Grey and Brougham, 95, 100.
- Pension List, the debate on, 103.

- Pepys, the Solicitor-General, primed with information by Brougham, 104; Lord Chancellor, 135.
- Perceval, the Prime Minister, *re* Liverpool merchants, 15; assassination of, 15.
- Persecution of Lord Eskgrove, 4.
- Petty, Lord Henry, Brougham's early association with, 2.
- Philpotts, Mr., his pamphlet on Mr. Williams, 38.
- Pino, General, Teodoro Majocchi, postillion to, 30.
- Political animosity of Attorney-General and Solicitor-General, 9.
- consistency, Brougham's claim to, 141; intrigue, light on, 56; office, refusal of, 55; 'political tergiversation,' Canning's, 49.
- Poor Laws Amendment, Brougham directly concerned with, 124.
- Portugal, mission to, as Secretary to Lord St. Vincent and Lord Rosslyn, 7.
- 'Pottle-deep potations,' 124.
- Precedence refused by the King, 38; patent of, given to Brougham, 53.
- Premiership offered to Brougham, 95.
- Press, the, that great vehicle of public instruction, 36, 37; the, repealing silly and obnoxious laws against, 46; alienation of, from Brougham, 133; underlings, 134; 'engendered by malice and her bastard sister falsehood,' 160.
- Prevost, Professor, criticism of Brougham's early writings, 2.
- Priesthood, the, Mr. Scarlett's sympathy with these reverend slanderers, etc., 36.
- Prince Regent, the Hunts' further indictment for libel on, 17, 18; his conduct realised *re* Princess of Wales, 20.
- Princess of Wales, Brougham adviser to, 19-21; surrounded by spies, 20; *never to assume the title of Queen of England*, 22.
- Prorogation, Lord Chancellor's letter to the King, 79.
- Privy Council, Judicial Committee, revising of, 160.
- QUARREL between Brougham and Campbell, 128.
- Queen Caroline's affairs, Brougham's conduct in management of, 24; communication from the Queen, extract from speech in defence, the end, death of, 38.
- Queen, the, retains the existing ministry, 137; and lovers of place, 145; marriage of, and Civil List, 153.
- RADICALS, the, advocate voting by ballot, 142.
- Raine, Jonathan, 39.
- Recalcitrant Whigs, *re* Lords Grey and Brougham, 111.
- Reform Bill, Committee, 76; readings of, faint support in House of Commons, 77; sent to House of Lords, 81; Brougham's speech on, 81; the King certainly hostile, 82; reintroduced, and passed the House of Commons, 93; Tory opposition to, 94; becomes law, 96.
- Reform Ministry, the great, tottering to its fall, 105.
- Repeal of Corn Laws, 161.
- Resignation of ministers, 95.
- of Stanley, Richmond, Graham, and Ripon, 110.
- Return to the Bar, 16.

- Revenge on Judges on Jedburgh Circuit, 175.
- Richmond, signature to entreaty to Earl Grey, 101.
- Riots at Huddersfield, Leeds, etc., 18.
- Ripon, signature to entreaty to Earl Grey, 101.
- Rolls, the, refused by the King, 72.
- Roman Catholic Emancipation Act, 64.
- Rosslyn, Lord, letter to, on return to England, 7; *re* 'non-factionous' opposition, 59; refusal to abandon Lord Grey, 60; his singular sagacity, 64.
- Royal Society, early contributions to, 2.
- Russell, J., signature to entreaty to Earl Grey, 101.
- Lord John, statement *re* royal prerogative of mercy, 148.
- SCARLETT, Mr., unsuccessfully approached *re* supersession of Brougham, 23; 'my learned friend,' 36; the only silk gown on Northern Circuit, 40, 41; (Sir James), *re* equity business, 131.
- 'Schoolmaster, the, abroad . . . armed with his primer,' 62.
- Scotland, its educational advantages, 19; 'rude and barbarous,' 34.
- Secretary to Lord St. Vincent and Lord Rosslyn, 7.
- Sefton, 43.
- Sergeant-at-arms, Brougham and Canning in custody of, 49.
- Seven thousand pounds a year refused by Brougham, 58.
- Shafto, Mr., and Brougham in carriage accident, 152.
- Sheridan, indiscretions of, 16.
- 'Siamese twins,' the, Lyndhurst and Brougham, 156.
- Silk gown, application for, 39; given to Brougham, 53.
- Slavery, Negro, extract of speech on, 12; abolition of, Bill passed, 99.
- Smith, Adam, apostle of Free Trade, 170.
- Sydney, resists Brougham's association with *Edinburgh Review*, 4, 5.
- Societies, putting down all prosecutions of libel by, 46.
- Spalding, John, Mary Anne Eden, widow of, 44.
- Speculative Society, admission to, 2; influence of, 3.
- Stanley, E. G., signature to entreaty to Earl Grey, 101.
- Stephen and Perceval, assassination of Perceval, 15.
- Stockdale *versus* Hansard libel action, 154.
- Stuart, Charles, with Brougham in Norway, Sweden, and Denmark, 3.
- Sugar Bill, 163.
- Sugden, Sir Edward, his *What has become of the Great Seal?* 135.
- Syme, James, 1.
- TASTE for vituperation, 12.
- 'The greater the truth,' etc., 6.
- Thirty-five thousand pounds a year proposed for the Princess of Wales, 21.
- Tierney to continue as nominal leader, 46; death of, 65.
- Times*, *The*, remarks on Brougham's appointment, 73; leading article on prorogued Parliament, 77; its changed attitude towards

- Brougham, 124, 129, 130; the translation of article in the *National*, 167.
- Tindal, Mr., 9; not much affected either way, 43.
- Tom Thumb*, 'to die again to-morrow,' 151.
- Tory opposition to Reform Bill, 94.
- Parliament dissolved, 156.
- UNIVERSITY COLLEGE, London, inaugurated, the poet Campbell's complaint, 51; opening of, 64.
- Unreformed Parliaments, the last of the, 96.
- VASSAL HOLLAND, signature to entreaty to Earl Grey, 101.
- Vaux et præterea nihil*, 72.
- Visit to Norway, Sweden, and Denmark, 3.
- Vincent, Lord, 7.
- Voting practice in House of Lords, protest, 157.
- Voting by proxy, 172.
- Vow to keep silent for a month, 11.
- WARRE'S Bills, Brougham's payment of, 8.
- Warwick Disenfranchisement Bill, 98.
- Weekly Scotsman*, article on Brougham, 174.
- Wellesley, Lord, and Irish Coercion Bill, 111, 118.
- Wellington, Duke of, Prime Minister, attack on his position, 61; course adopted on Catholic Emancipation, 64 resignation of, 68; to form a Government, 95.
- Westminster Abbey, the Queen's attempt to force her way into, 33.
- Whigs, cultivating the acquaintance of leading, 7; services to, at last recognised, 10; the 'base and bloody,' 103; recalcitrant, *re* Grey and Brougham, 111; ministry, the King tired of, 122; their ingratitude and cowardice, 135, 137; Brougham's enemies, 142; Government, a, based on a 'bedchamber question,' 145; Brougham's opposition to, 147; creatures of the palace, 148; defeated, opening negotiations with Brougham, Campbell's comment, 155.
- Wicklowl, Earl of, *re* Coercion Bill, 116.
- Wilberforce, his influence *re* Slavery, 7; adjournment of debate on Queen's affairs, 26.
- Wilde, Mr., to associate with Brougham *re* Queen Caroline, 23.
- Williams, 41, 42.
- Winchelsea, Brougham member for, 19.
- Without the Bar once more, 33, 38.
- Wood, Alderman, his attempt to supersede Brougham, 23.
- YORKSHIRE, Brougham returned for, 66.
- Young's *Theory of Light*, criticism of, in *Edinburgh Review*, 5.





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